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(d) if not, whether there is any proposal before the Government to investigate into the possibility of the supply of electricity to Malabar from Vayittiri?

A.—(a) & (b) A reconnaissance survey of two schemes in the Wynad was made by the Hydro-electric (now Electricity) Department previous to the submission of the Pykara scheme. One of these is the Thalipuzha scheme near Vayittiri. The collection of data on the river flow and rainfall in the area has been undertaken, a new measuring weir was constructed and the river gauged during the monsoon of 1932-33.

(c) No.

(d) No.

B. POCKER SAHIB Bahadur:—“ May I ask whether the investigation will be pursued by Government? ”

The Hon. Sir M. KRISHNAN NAYAR:—“ Not immediately.”

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—VOTING OF DEMANDS FOR GRANTS FOR 1934-35.

DEMAND XIII—JAILS—RESERVED.

* The Hon. the PRESIDENT:—“ The discussion on Demand XIII will continue.”

* Mr. A. B. SHETTY:—“ Mr. President, Sir, a great English statesman, I believe it was Mr. Winston Churchill, is reported to have said that the method of treatment of crime and criminals is one of the tests of the civilization of a country. Let us look for instance at the methods of prison administration adopted in a country like England to which we look up for inspiration and guidance in all matters of administration. Sir, the measures taken in England to keep offenders out of jail, to reform convicts who are received in jail during the term of their imprisonment and to watch over and aid the released prisoners to re-establish themselves as honest citizens, are said to have led to a great reduction in crime and diminution in the number of prisons in that country. Lieutenant-Colonel Cameron who was the Inspector-General of Prisons here for a number of years has expressed the view that our present system is by no means ideal and that without undue expenditure we can do much to improve our system of prison administration on modern penological lines with the object of reducing crime.

“ The English system aims, in the first instance, at keeping certain classes of offenders out of jail. The Indian Jails Committee has said that all possible measures should be taken to avoid committing people to

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prison and it has recommended for this purpose the extension of the probation system and the prohibition of short sentences. The conference of Inspectors-General of Prisons held in Madras in 1925 has expressed it as their unanimous opinion that short sentences are positively harmful and that steps should be taken to prohibit sentences of less than a month. Yet what do we find? We find that a large number of prisoners in our jails are first offenders with short sentences. In the year 1932 we find 8,630 prisoners were sentenced for terms of less than one month and 5,614 prisoners for terms of less than three months. In England the probation system was introduced in 1907 and increasing use has been made of it in subsequent years. I understand that a Bill for introducing the probation system for dealing with first offenders is before the Government of India. I wish to know what has happened to this measure of legislation. I need hardly say that this piece of legislation is long overdue in this country. If first offenders of the less serious type are put on probation instead of being sentenced to short terms of imprisonment it will help to reduce crime. It will minimize the chances of such people drifting to a life of crime and it will at the same time reduce expenditure on prisons.

“ Our prisons should not be places of mere custody. They must aim at reforming the convicts. In England, Sir, they have adopted improved methods of treating crime and criminals with the happiest results as I have already said. The convicts who are received in jails receive scientific treatment under expert supervision. Long-term prisoners are properly classified and given appropriate treatment. There are separate prisons at Maidstone, Parkhurst and Dartmoor for different classes of prisoners. They have got special homes for mental defectives who are dealt with under the Mental Deficiency Act. Habitual criminals who are found incorrigible are sent after a period of penal servitude to Camp Hill Prison in the Isle of Wight where they are made to do some work under more natural surroundings than what they have in the prisons. Among our prisoners a little more than 15 per cent are what are called habitual prisoners and our method of dealing with these habituais has been condemned as unscientific. They are imprisoned for a definite period and released without finding out whether they are fit for freedom. When they are let loose on society, they become a source of great nuisance to the police and the public and they return to jails time after time. Some sort of preventive detention is the only solution for this class of prisoners who are incorrigible and who cannot be reformed. If our convicts who are received in jails are to be reformed, our jails must be manned with trained experts comparable to the staff of physicians and surgeons in the best hospitals. In the matter of jail staff, we are far behind England. In England, they recruit a fine type of men, men who are well qualified and well trained. In their borstal institutions, they have men from public schools and universities, men of high character and ideals and full of enthusiasm for service. I am afraid, that our jail staff can hardly stand comparison with such men. In England they have got a single cadre of officers in their jails, while

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we have here two water-tight compartments, namely, jailers and deputy-jailers and warders. No training is given to our jail staff. In Burma, they are said to have a training class for these people and in the United Provinces and in the Punjab also, they provide a course of six months' training for the men selected for service in jails. The conference of Inspectors-General of Prisons has recommended that a training school attached to the Central Jail in each Province should be started for training these men. I would earnestly request the Government to give their serious consideration to this proposal.

“Then, Sir, our system of after-care for released prisoners is far from satisfactory. The report on jail administration for 1932 says that after ten years' work the scope of the Discharged Prisoners Society has been not unfairly described as a drop in the ocean. The after-care of prisoners is the key-stone of prison reform. I find that only 814 people out of 18,438 prisoners discharged in the year 1932 have been helped by this society. In this matter also, the conference of the Inspectors-General of Prisons has expressed the opinion that Government support should be made more effectual as it is in England. Government are spending 22 lakhs and odd on jails while they give to this society only a paltry sum of Rs. 5,000 and odd. Now, to sum up, the most essential measures we need are: a properly directed system of probation for dealing with first offenders of the less serious type; scientific treatment under expert supervision for reforming convicts when they are in prison; some system of preventive detention for habituals who cannot be reformed; an efficient system of after-care. I have no doubt, that if these measures are adopted by the Government, it will lead to very happy results as it has led in England. It will lead to a reduction of crime and a reduction of the prison population in jails. It will help the Government to reduce the cost they are now incurring on the jails and the police.”

11-15
a.m.

* Mr. SAMI VENKATACHALAM CHETTI:—“In speaking upon this motion, I cannot be oblivious of the fact that, our Hon. Colleague Sir M. Krishnan Nayar who has held with distinction the charge of this subject is retiring very soon amidst regrets of his colleagues and friends. But, in spite of that feeling I should not be considered ungracious if I should offer some criticisms on the Jail administration. Sir, the absence of any important change in the administration of jails is due more to the system than to the person himself. Because, I feel, Sir, if one should take into consideration the brilliant record of public service which the Hon. Sir M. Krishnan Nayar had to his credit before he became an Executive Councillor, it would be rather difficult to believe that such a doughty champion of public cause could have become such a docile Member of the Government of Madras. Sir, I should consider also that, during the six years which he spent as a Member of the Government of Madras, if he had devoted his attention to the public cause which he was originally championing, probably the laurels which would have attended his work, would have been more noteworthy and

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glorious. But yet there is an opportunity for our Hon. Sir Krishnan Nayar, who would soon be coming into the non-official ranks, to come with all the rich experience he might have acquired as an Executive Councillor and use that experience for the public cause in a greater measure and for more abundant good.

“Sir, I do not think, even the Hon. the Law Member would deny that the Jail administration of this Presidency is at a stand-still, so far as its reformatory character is concerned. More than once, it was our duty and necessity to tell the Government that jails in India are more in the nature of brutalizing the convict than reforming him during the period he was confined in the jail as a prisoner. The many evils attendant upon Jail administration have been revealed to the public eye by the influx of political prisoners into our jails and their exposing the evil administration of the jails to the public. One should have profited by such an exposure and one should have attempted to rectify the evils complained of and which are really deserving of being set right at the earliest moment. But, I am afraid, it is very regrettable to note that the Hon. the Law Member in spite of his promises to reform at least some of the evils in Jail administration, has failed completely to fulfil any of those promises and it is not in one single matter that there has been such a breach of promise on his part. No amount of interpreting or explaining away the promises he has made several times on the floor of this House would absolve him from the blame that is levelled against him that he did really mean the promise when he made a statement and persuaded us to withdraw the cut motions against the Demand under Jails. But, we still expected that at one time or another his own conscience would be enough spur on his heart and thought that at least some of the promises which he had made to the Legislative Council would be complied with. Well, Sir, it is for the Hon. the Law Member to say that he had made all the efforts that he could and that despite his efforts he was not able to secure the fulfilment of his promises. Sir, it would appear to me to be that those who are administering jails in this Presidency are under the belief that all those convicts cease to be human beings the moment they enter the jails. There is too much of puritanism on the part of the executive officers both in the Government and in the department, in considering violations and lapses on the part of the convicts as very serious offences and for which they punish them in a manner that would be shocking to the ordinary or decent civilized persons. I do not know if those who administer the jails are in touch with the current improvements in reformation that are going on in jails all over the world. The idea that jails are intended to punish a person has been long exploded and they are now considering them to be schools of reformation. Though the name for some of our jails has been changed the method of dealing with the convicts continues to be the same cruel form in which they were hitherto being treated. I would respectfully request the Hon. the Law Member to visualize in his mind what must be the irksomeness and inconvenience, mortification and humiliation, if a convict should be put to one form of punishment or other, such as

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bar-fetters, whipping or solitary confinement. It is said of some of those philanthropists who wanted to effect jail reform that they had passed some of their time as ordinary convicts in order to know and appreciate the difficulties under which the convicts suffer. That would be an excellent lesson for some of our administrators. As a matter of fact, we know that some convicts on account of some lapses or violation of jail rules have been put under bar-fetters for weeks together. I would like some of these gentlemen who are supposed to be moralists to try bar-fetters for an hour and find out what it means to a convict who has to suffer such a kind of punishment for weeks together. What after all is the nature of the offence that might have been committed by a convict to deserve a prolonged cruel treatment of this sort? Several convicts have become dazed, become mad and frantic, by the punishment which they have undergone on account of the supposed violation of some jail discipline. After all, Sir, who is the prosecutor and judge in deciding that a person has committed an offence and is therefore deserving of the punishments which are put down in the Jail Manual. It is all jail officials in a circle. One jail official reports to another; that jail official carries it to his superior officer and that superior officer by the sheer necessity of keeping up what is called discipline, enforces a punishment which is at once horrible and cruel. There is absolutely no check over the misuse of the powers by the superintendents of jails. There is no other person who would sit with him to judge if a convict is deserving of the cruel punishment or not. Sir, more serious offences than the violation of jail discipline are tried by magistrates and judges of tried character, experience and of complete detachment and they are also assisted by a number of other officers who will try to bring the most favourable view of a particular case, in order to reduce the punishment. Sir, that is the way in which British Jurisprudence is administered, but yet when one goes into jail, whatever might be the nature of the offence committed by him, after all the most serious offence in a jail would not be nearer a trivial offence outside the jail—for such offences he is tried by the jail superintendent who is the superior authority of all the jail officials and who awards punishments of most heart-rending character. There is no good saying that these punishments are prescribed in the Jail Manual. I am not questioning the authority of the jail superintendent for awarding punishments, nor am I entering into the fact as to why these punishments are provided in the Jail Manual. What I want is that the Jail Manual should be revised and the jails should be reformed in such a way as to make convicts better citizens when they come out of the prison than better prisoners.

“Sir, there are some diseases peculiar to jail life which are consequent upon insanitary practices which the convicts have to undergo owing to insufficient accommodation for bathing purposes, absence of proper latrines, and scanty nourishment. Those diseases are no doubt attended to by the dispensaries attached to the jails, but if the amount of money that we are spending on these dispensaries, is only spent on

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giving required or adequate food or proper and adequate accommodation for latrine and bathing purposes, it would have done immense good both from the positive and the negative side. It is a pity that in spite of various demands made to the Hon. the Law Member that the latrine and bathing accommodation in many jails is inadequate and insufficient, nothing has so far been done to improve the condition. Water-supply in jails is very insufficient and most of the convicts are asked to bathe during particular hours, the duration of which is quite insufficient for all the convicts to enjoy the bath.

“Coming to the question of diet, Sir, I am glad to note that the odourous germinating dhal has been given up and that a proper substitute is given. I hope, Sir, the report is true and that it is being followed in all the jails. Along with it, I cannot, even if I want to, forget the question of buttermilk. It is indeed a pity that here the Hon. the Law Member was unable to do anything. I refuse to believe that the jail doctors would have advised him against the introduction of buttermilk. I do not think Government would lose much if they should place the reports of the jail doctors and jail inspectors on the table of the House so that we can appreciate the difficulty of the Government in introducing buttermilk as a form of diet to C class prisoners. Moreover, Sir, the Hon. Law Member used to skip over this question by saying that the Council and the public wanted this buttermilk only for political C class prisoners, and now that there is practically no political C class prisoners the necessity for that diet ceases to exist. Sir, in spite of the fact that we have been constantly telling him that it was not purely in the interests of political prisoners but also in the interests of the general C class prisoners that we wanted the introduction of buttermilk as a form of diet, nothing has been done in the matter so far. It is quite true that it was the political C class prisoners that brought this complaint to the public eye. But it is also true that whoever may be the prisoner, be he a prisoner committed for a political offence or otherwise, the minimum diet that he requires should include buttermilk. Sir, I am afraid the Hon. Law Member is not quite accurate when he says that in his part of the country buttermilk does not form part of a poor man's diet. I have heard it said by persons who have lived in that part of the country in which the Law Member has lived so long, and who have perhaps lived equally long like him, telling me that that is not a quite accurate statement. Probably it is a political statement. I do not know if there is any opportunity for the Hon. the Law Member, before he retires, to do anything in this direction. Sir, I have no doubt he himself would have been tormented by the pricks of his own conscience on various questions which have been left unsolved and undone. I beg to ask him without adding to his torments, whether he cannot himself do anything in this direction. Sir, Sir Arthur Knap, when he was in charge of the jails, laid it down that diet be supplied in jails according to the kind of food which the prisoner was accustomed to, and not according to the rate of the value of the diet. So it is not a question of

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cost that is standing in the way of introducing this much desired item in the diet of the prisoners. Sir, the Hon. the Law Member is said to be in charge of this department, and if the constitution could be believed, I take it that the Law Member subject only to the decision of the Cabinet, is the supreme head of this subject; and I particularly wish to put to him certain questions with regard to what transpired at a conference of Inspectors-General of Prisons, reported in yesterday's newspaper. The conclusions to which they have come to are simply shocking and staggering. On a perusal of the proceedings I asked myself whether the Law Member has given a free hand to those people in matters pertaining to this department. It would appear that these heads of departments are no longer members of the service. They seem to be even above Cabinet's decisions. After much fighting and higgling, the Government, either this or the Central Government, have at one time or another modified some rigours of jail discipline and jail rules to a certain extent in response to the popular and public opinion. But what do we find in yesterday's conference reported in the newspapers? Everyone of these so-called concessions is sought to be torpedoed by some qualification or another. I will read at least some of the more shocking ones, so that this House may know if the Law Member has only to agree to the recommendations made by this conference, or if he has got any freewill in the matter and the Government are not bound by the recommendations made by this conference.

'The number of visits and their duration by the non-official visitors should be strictly limited. On principle, practising lawyers and vakils should not be appointed as non-official visitors.'

'If this is a direction to Government to appoint more docile persons than they are now appointing, I don't know what purpose would be served by such honorary visitors. Already it has been bitterly complained that these non-official visitors consider their places to be stepping-stones either for title from Government or for some other recognition in one matter or another. Even those gentlemen who have this privilege of making a visit to the jails use that privilege very rarely, and even when such visits take place, they are only farcical. Now, Sir, why does this conference make this recommendation? Probably on the ground that such visits are uncomfortable to the discipline of the jails, so that they can enforce the jail rules tyrannically, undeterred and unhampered, and thus bring into existence a reign of terror.'

'Then, with regard to the A class prisoners, the Government, after a long struggle—a struggle on a nation wide scale—agreed that they are willing to treat these A class prisoners as practically detenues, belonging as they do to the most respectable classes, and going as they do to the jails on account of the opinion they hold, rather than on account of any offence of moral turpitude. The conference resolved that 'A class prisoners should continue to be allowed to wear their own clothing which, however, should be limited to reasonable quantity. B class prisoners should be provided with prison clothing. The conference agreed that it is undesirable to issue dhoties to prisoners, as they facilitate escape.'

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Now, Sir, has there been a single instance where such prisoners have escaped or tried to escape from jails? In the absence of such incidents, may I know why this restriction is being sought to be put on these otherwise respectable persons from wearing the dhoties which they ordinarily wear?

“The conference agreed that A and B class prisoners should be accommodated in separate enclosures in ordinary jails. It would be also economical. The conference was also of opinion that when the prisoners are split up in separate sections, control would be facilitated over them, while when confined together in large numbers they are apt to become unmanageable and to have a false sense of their own importance. Now, Sir, this conference knows more than anybody else that these A and B class prisoners consist of persons far more respectable than the heads of these departments, and that they have gone to jails not on account of having committed any crime but for holding certain opinions. And over these people the heads of the departments want to exercise their power, and to facilitate that they suggest separate accommodation.

“Moreover, apart from the recommendation of the Court and apart from the recommendation of the Government, this conference expects the heads of jails to reduce these prisoners to C class, if they found that to be necessary. Thus even if the Local Government recommends a person to be placed in A class, or if the committing Magistrate recommends a prisoner to be put in A class, the jail authorities are not bound to obey. It so becomes that the supreme authority in this matter is the jail authority.

“The conference recommended the introduction of a non-labouring scale of diet for B class prisoners if they refused to work or carry out a reasonable task. This means practical starvation; it is only put in another phrase. I want to know from the Law Member whether he is going to give his sanction to this recommendation.

“The conference thought that ‘more reliance should be placed on separate confinement and calling remission and special class concessions than in whipping and mechanical means of restraint.’

“Sir, I must draw the attention of the Hon. Law Member that this was not suggested as a substitute for whipping and mechanical means of restraint, but as an intermediate punishment between one method of punishment and no punishment. Apart from the fact that it is laid down that in cases where whipping should be resorted to, the matter should be brought to the notice of the Local Government before it is actually resorted to and their sanction obtained, there are several cases where whipping is resorted to without the notice of the Government or the Law Member; and it seems no rule can possibly stop it. If whipping is considered necessary, why not try as a preliminary to that, separate confinement, that is, either solitary confinement or cellular confinement?

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“ Then, Sir, the Conference has held that ‘ should whipping be considered necessary, it should be carried out as soon as possible, the prior assent of the District Magistrate being considered sufficient and no reference to Local Government should be necessary.’ Therefore these jail superintendents want complete authority over the human beings who are placed in their charge. It is said that ‘ outside practitioners should not be allowed to enter the jails to treat prisoners and that they should only be called in for consultation on the recommendation of the jail medical officer and with the authority of the Local Government.’ This is an attempt to screen the wounds that may be caused by the punishment meted out inside jails.

“ With regard to the question of the segregation of terrorists and communists from other prisoners, the conference recommended that the Police and Magistrates should inform the jail officers of the admission of such prisoners into the jail. This is not all. Then comes the more shocking recommendation with regard to hunger-strikes. Hunger-strike is not resorted to on mere flimsy grounds. Whether rightly or wrongly, when a person believes that he will be doing violence to his conscience if he is to obey a particular order, and therefore decides to disobey the order but is forced to obey, then he resorts to hunger-strike, preferring death to the humiliation of doing a thing against his conscience. I am not one of those who is prone to pooh-pooh that idea or who should think that hunger-strike is resorted to for the sake of notoriety. It requires great courage to do that. May be it is a misguided courage; but all the same, a good deal of courage is required to adopt such a course. Some people may think that after all the objection is merely sentimental; but on account of that opinion we cannot decry or try to discredit the opinion which the prisoner considers to be sacred. We have got a right to induce him to give it up, we have got a right to persuade him to renounce it, and we have got a right to make him see the unwisdom, the futility and foolishness of the procedure he wishes to adopt. But to advise or recommend punishment of the nature that is recommended by this Conference shows the mentality of the persons composing that Conference. They are by no means the persons who have got the missionary bent of mind to humanize the system, to ennoble the minds of persons committed to their charge and reform them for nobler lives. They seem to think that they are there only to exercise the authority which they possess over these persons irrespective of any other consideration. The following procedure is recommended by the Conference in connexion with hunger-strikes:—

“ (1) Segregation of hunger-strikers.

“ (2) Whipping—It proves most successful in absorbing hunger-strike.” That seems to be the conclusion of the conference. It therefore seems that certain persons who have resorted to hunger-strike were whipped whether or not the Local Government agreed to it, and it proved successful in absorbing the hunger-strike. Again another recommendation of the conference is that ‘ cooked food should not be presented

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to them—on the contrary, food should not be cooked for them unless they notify their desire to break their strike.’

“ Sir, these are the recommendations made by the Conference. I hope this House will have an opportunity of hearing the emphatic denial or the approval of some or most of the recommendations of this Conference by the Government.

“ I shall close my remarks on this motion with a query to the Hon. the Law Member about Mr. Narayana Menon. Well, in this matter I am disposed to think that the Hon. the Law Member must have done his best to get him released. But apart from that I think it is nearly 14 years since he has been incarcerated. I should like to know from the Hon. the Law Member whether his life term is to consist of 14 years or 20 years. Sir, it is very unusual for the Government to impose the full term punishment on life-term prisoners and it must be indeed very unusual for the Government if they should think of that extension in the case of Mr. Narayana Menon. Whatever might be his antecedents on which there seems to be keen difference of opinion, all the people, whether Europeans or Indians, officials or non-officials, think that Mr. Narayana Menon is a gentleman, that he has been completely misunderstood and that he had been a victim of fortuitous circumstance. On the other hand there is the Government which thinks, whatever might be the opinion of the people outside, that they had in their possession certain incriminating documents which would not allow the Government to show any mercy whatsoever to Mr. Narayana Menon. Whatever that might be, during the long period of 14 years during which he has been in prison, his life has been one of exemplary character. I do not think there has been any occasion on which any jail official has had reason to complain of his conduct. In fact, a Principal of the Madras Christian College who used to visit the jail in connexion with the mission work was one of the very large number of Europeans who wanted to intercede on his behalf with the Government to get his release. It was only on one occasion that he was more sinned against than sinned. Even on that occasion I do not think that the jail official persisted in thinking that Mr. Narayana Menon was wrong. Having a record of such an exemplary conduct throughout all his life in jail, may I know definitely from the Government—it would be a great consolation to his family and the public—whether he will be released at least at the completion of a smaller term than is provided for for the life-term prisoners’ confinement? If it is not beside the point, I may ask the Hon. the Law Member, even as an act of grace, before he lays down his office, to secure his release and, if he should consider that the time between the actual expiration of 20 years and the present day is to be covered, he may be released on condition that he may not leave a particular area. I beg of him very earnestly to decide this question before he lays down his high office.

“ As I said, it was not my intention to criticize the Hon. the Law Member who bore the brunt of criticisms for the last five or six years.

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Curiously enough his term of office synchronized with a period when I had to make searching criticisms on the Jail administration as in the case of any other administration which was in his portfolio and which was likely to be attacked by the non-officials from time to time. Therefore it was not an attack that was made on the Jail administration. If the Hon. the Law Member should think that he was the target of criticisms with regard to Jail administration, it was because we felt that something better might have been done in this matter."

* **MR. M. B. RANGASWAMI REDDI** :—" Mr. President, Sir, buttermilk which is an essential article of diet has been denied to prisoners of the C class. When European prisoners are given comforts, it does not stand to reason why Indian prisoners are denied normal necessities of life. The climatic condition of India is very hot and therefore the natural diet of Indians will include buttermilk as one of the essentials of daily food. It is needless to suggest, in the absence of supply of buttermilk to all classes of prisoners, their condition will end in suffering through dysentery, etc. Many prisoners also have died in jails, I understand, from this disease.

" Though the release of Mr. Narayana Menon was recommended several times by this Council, it has not yet been done. The long contemplated revision of Jail Manual to bring it into conformity with modern times has not been given effect to. The Government should freely allot funds for the use of the Discharged Prisoners Aid Society. The Government should give facilities for oil bath irrespective of sex and class of prisoners as Indians are accustomed to oil bath to whatever station in life they belong. The Andaman as a penal settlement has been found unfit and the Government will do well to close the Andamans altogether as a penal settlement. The rules for the grant of remission of sentences for good conduct of convicted prisoners may be liberalized. Whipping, a barbarous mode of sentence, should be completely abolished.

" I should join with others in congratulating the Hon. the Law Member on having carried on the administration without any trouble and difficulty."

B. POCKER SAHIB Bahadur :—" Mr. President, Sir, a great deal has been said on the general administration of jails. Just before going into this general question, I would like to say a word as regards the constituency which I have the honour to represent. Now, Sir, I do feel happy that I am in a position to thank the Government for the very liberal and the right policy which they have pursued in the matter of release of Mappilla prisoners. I express the debt of gratitude on behalf of my constituency to the Government and particularly to the Hon. the Law Member whose portfolio it is and also to the Hon. Sir Hopetoun Stokes, the Finance Member, who was the President of the Retrenchment Committee and who recommended the abolition of the Alipuram Jail. I must also express my gratitude to the Chief Secretary who was concerned in formulating these policies, and particularly

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Mr. Russell, the Collector of Malabar, who had the courage of his conviction in recommending the release of these Mappilla prisoners and whose policy has been justified by the very reports which the Government have published since then. I was very happy to find in the last Police Administration Report that the Mappilla prisoners who had been released were very peaceful and their behaviour was very satisfactory. Now, Sir, I appeal to the Government not to lose time in releasing a few more who are still undergoing imprisonment in the jails in this Presidency or in the Andamans. I would make a special appeal that all the remaining State prisoners who are only very few and who are still confined in various jails of this Presidency should be released. I would like to make a special reference to the case of Pukutu Thangal who has been confined in the city of Madras and who, I understand, has been laid up with paralysis since a week. He is living in Pudupet and he is in a helpless condition. He is absolutely helpless, both bodily and financially. He has got one or two children and a wife who are all living with him. I may also mention that there is no use of asking him to go to the hospital. In the first place it is generally believed and he also believes that the treatment in the hospital would not be of much good so far as paralysis is concerned. If the Government will be pleased to send him to his native place he will have the opportunity of getting himself treated there. So far as his physical condition is concerned, he is stricken with paralysis and I think the Government will concede that he will not be fit to do anything against the peace of the country, whether he is permanently released or whether he is given a long leave to go and live in Malabar. Therefore, I would appeal to the Government to take immediate steps to despatch him to his native place in Malabar.

“ Now, Sir, I would make one appeal to the Government which is consistent with the policy which they have followed in the matter of the Mappilla prisoners, I ask them to repeal the Mappilla Outrages Act. The Hon. the Law Member knows that only a very few cases are dealt with under the Mappilla Outrages Act and that most of the State prisoners who are now in jail have been convicted under certain other Regulations which are applicable to all the people. It is not necessary for me to use any very harsh language in characterizing the nature of this Act, because I have already done so and the Government knows very well, more than myself, how the Act can be characterized. The main purpose served by allowing the Act to remain on the Statute Book is to wound the feelings and the sense of self-respect of the Mappillas. Apart from that no other useful purpose is served by this Act, as the Government have ample powers under other general Acts which apply to one and all. If the Government fear that a contingency might arise in which they might have to deal with the Mappillas, they could very well deal with them under those other Regulations and Acts which are applicable to one and all. On the other hand, if this Act is repealed it will be a very good incentive to the whole community to conduct themselves properly and come to the level of the other communities and

12 noon.

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be an asset to the country just like any other community. The existence of this Act on the Statute Book certainly wounds their feelings as it is an insult to the community. When the community has vindicated the trust placed in them by the Government by adopting a liberal policy of releasing the prisoners, I do not see any reason why the Government should not show some grace and repeal the Act altogether. This Act has been on the Statute Book for more than three-quarters of a century and to continue to keep this antiquated Act on the Statute Book would be a discredit to the Government as it will show that even after a century and a half of British Rule it has been found necessary to have an Act of this character even though it does not serve any useful purpose.

“ Now, Sir, since reference has been made to the case of Mr. M. P. Narayana Menon already by Mr. Sami Venkatachalam Chetti, I do not want to say anything more on the subject than to appeal to the Hon. the Law Member to extend the same policy which they have been following in the case of the Mappilla prisoners to Mr. Narayana Menon also, especially when this policy has been found to be very successful and the Mappillas have vindicated the trust placed in them by the Government. Because, at the most the offence of Mr. Narayana Menon will fall only in the same category as the offences of the Mappillas who have been released and who have been behaving well. It cannot be put as worse than the offences of the Mappillas. At any rate, in view of the fact that the Hon. the Law Member is about to lay down his office, I would request him at least to release him on condition that he should remain outside Malabar for some time and that he would be allowed to enter Malabar after a certain period only if it was found that he had not misused the limited freedom given to him.

“ With regard to the administration of jails, I do not want to dwell on the details as my friend, Mr. Sami Venkatachalam Chetti, has already dealt with some of them. I only want to say a few words with regard to the general administration of jails. I want to remind the Hon. the Law Member of the promise he made on the floor of the House two years back that he would see that a committee was appointed to enquire into the administration of the jails and revise the rules which at present govern the Jail administration. Although it is now two years since that promise was made, nothing has been done in that direction. I know that there are heaps of promises made by the Government which remain unfulfilled and I do not think I can have any special room for complaint that this particular promise has not been carried out. Perhaps the Government may say that, if they should carry out all the promises they make, it would be a very difficult task for them. I sympathize with them in this respect. But what I ask them is this. If they are not in a position to appoint a committee to enquire into the administration of jails and the soundness of the rules governing the present system, why should they try and effect reforms by means

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of the conference of Inspectors-General of Prisons? I can quite understand their inability to effect any reform and allowing matters to stand as they are; but why should they ask the Inspectors-General to hold a conference and make the necessary reforms according to their views instead of appointing a committee to go into the question? I do not know whether the Government are justified in resorting to this method, particularly in view of the promise they made to appoint a committee consisting of officials and non-officials. Moreover, considering the shocking recommendations made by this conference on various questions of jail administration which have been referred to by Mr. Sami Venkatachalam Chetti, I do not think the Government are right in having resorted to this method. I would ask the Government not to give effect to the recommendations of this conference before giving an opportunity to this House to discuss them. It is a well-known fact that these jails are something like the other world of whose existence we all speak but nobody knows exactly what it is. (Mr. Sami Venkatachalam Chetti: 'Hell.') Whatever it is exactly, the Government call it heaven and we call it hell, I would ask the Government whether they should not make something of it visible to us. If the recommendations of the conference were given effect to, even the little information that leaks out through the kind of non-official visitors to jails appointed by Government, would be denied to us. With regard to these visitors to jails, I should say that the type of men appointed by Government are generally those who are very anxious to be appointed as visitors so that they may print on their letter heads the words "Non-official Visitor to Jail." In fact I can show the hon. Members ever so many letter heads with such words. It is generally such persons who are appointed and even their number is proposed to be reduced with the result that the meagre chances of knowing something about these jails will be gone."

* Mr. V. P. NARAYANAN NAMBIYAR:—"Mr. President, Sir, whenever matters relating to the administration of jails come up for discussion, hon. Members had urged the appointment of a committee to suggest amendments to the Jail Manual. The Hon. Gentleman, the Law Member, assured us that the Government would carefully consider the question, but last year he made a pronouncement that the Government could not agree to the constitution of a committee because suitable amendments were being made to the Jail Manual even otherwise. While I am free to admit that certain amendments have already been made and that conditions in jails have been bettered to some extent, I do not think that jail reforms have yet reached a satisfactory level. We are in that matter far behind the rest of the civilized countries in the world. I wish that the whole question is lifted up to a higher plane and that the whole matter is decided on the highest standards of civilization and humanity.

"To illustrate my point, let me refer to the system of convict warders, a system obtaining only in India. In England it is laid

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down that no prisoner should have control over a fellow prisoner and it is not done anywhere else in the world. Witnesses before the Jail Committee have condemned the system, and last year the Hon. Gentleman, the Law Member, said that the 'Government are not enamoured' of the system. Yet for the sake of economy the Government consider that convict warders ought to continue. Sir, economy is a word which in these days covers multitude of sins and I want the Government to realize that the system of convict warders is having the most demoralizing effect. Convict warders are prisoners who have been convicted to suffer long terms of imprisonment for serious offences. That they should be put to control and guide prisoners who have been convicted of lesser offences is certainly not at all commendable. The system of convict warders should forthwith be discontinued.

"Again, combining Superintendent and Jail Medical Officer in one officer is not a right step. Experts in England are against the combination, and it is not so in England, and it is not so in America too. Two members of the Jail Committee, Mr. Innes and Mr. Dorai Raja, have definitely stated that it is not advisable to combine Superintendent and Jail Medical Officer in one officer. But the Government are adhering to the present position because the Inspectors-General of Bengal and Bombay did not see anything wrong in the combination.

"Sir, now to the question of buttermilk. It is indeed sad that the Government have decided that buttermilk need not be supplied to 'C' class prisoners. When last year the Hon. Gentleman, the Law Member, assured this House that the question 'will be very carefully considered,' hopes were raised that the right decision would be taken. But the cost of supplying buttermilk seems to have frightened the Government. That should not have stood in the way, for Sir Arthur Knapp, when he was in charge of the administration of jails in the Province, has, on behalf of the Government, stated that diet is supplied according to the kind of food which the prisoner was accustomed to before his incarceration. May I submit that buttermilk is an essential article of the diet of the people in South India? (An hon. Member: 'Even in Malabar?') To a greater extent than elsewhere in Malabar. That the Hon. Gentleman, the Law Member, should have thought that it was not an essential article of diet and that the decision of the Government should have been against the supply of buttermilk to 'C' class prisoners will be to the standing discredit of the name of the Hon. Gentleman, the Law Member. I am indeed sorry that the parting gift of the Hon. Gentleman is the denial of buttermilk in a really deserving case.

12-15
p.m.

"Sir, before I conclude, a word about the release of Mr. M. P. Narayana Menon. That question has been raised by other hon. Gentlemen too. I do not want to go into the merits of the question. But may I point out that some years back our Legislative Council has by an almost unanimous vote pleaded for his release and that Sir Alladi Krishnaswami Ayyar who is now the Advocate-General of the Government of

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Madras and Mr. Venkatarama Sastri, a former Advocate-General, have both openly stated that Mr. Narayana Menon is after all a victim of judicial error. That being so, it would not only be an act of elemency, but an act of superior statesmanship if Mr. Narayana Menon is released at the present moment. The Hon. Gentleman, the Law Member, knows that Malabar is very strongly for his release; and, with the full responsibility of a Member privileged to represent such an enlightened district as Malabar, I say that the release of Mr. Narayana Menon will not lead to any trouble in our district."

* Mr. K. KOTI REDDI:—"Sir, if I rise to speak on this Demand, it is not with a hope that our suggestions made in this Council for the reform of jails, will have much effect on this Government. I only want to show how other countries are dealing with prisoners. The Hon. the Law Member will be surprised if I tell him that Russia—a country which is more or less on a par in many respects with India—has now adopted a system of prison reform which, it seems to me, can be very well copied to a large extent by this Government. The present system in Russia is mainly intended to detain in the prisons people who are convicted of some offence or other but not with a view to punish them. It may be that it is not possible immediately to give effect to all these reforms here on account of economic and social condition of this country. One of the complaints I have been making in this Council from a very long time is that the Government should not spend much money on jails. Instead of jails being a source of expenditure, they must be a source of income to the Government. I now find that in Russia jails are not a burden on the Government. Though they are not making any large profit, jails are not a source of loss to the Government. Jails in Russia are now working more or less on a remunerative basis. Recently I was reading a book; unhappily I have not got that book with me now. I took some notes from that book and I have lost that paper. I am quite prepared to furnish detailed information to the Hon. the Law Member if he wants it. The actual figures of expenditure and income from jails are given by the American writer. It shows that instead of the Government incurring any large expenditure, they are actually making a profit from jails in Russia. Jails there are considered more as places of detention and as such the convict-labourer is being utilized for public advantage. Prisoners are paid actually the wages that are due to them if they work outside the jails after deducting the amount of money spent for their diet, clothing, etc. The expenditure incurred on behalf of a prisoner is less than what he earns by way of wages. As a matter of fact, some of these prisoners are paid a little extra for the work they turn out, as the Government are making a small profit out of jails. I personally do not see any reason why the Government should not utilize the convict-labour for profit especially when most of the prisoners are habituated to some form of remunerative manual work. I do not know what is wrong with this Government and why there is so much of expenditure on jails.

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“ There are two classes of prisoners in jails in Russia; one class of prisoners is given holidays for twelve days in a year. No policeman follows the prisoner to his home. He is let off whenever he wants to avail himself of the holiday; he could take leave more than once or continuously, provided the leave should not exceed twelve days. He will come back of his own accord to jail after the expiry of his leave, to spend the remaining portion of the period of his sentence in jail. The other class of prisoners gets a holiday of six days.

“ Again I find that many of these prisoners are allowed to enjoy married life outside jails. It is very hard that the prisoners here have to remain in jails for a number of years without the association of their families. I think that what is possible in Russia ought to be possible here also. In Russia prisoners can go out and live with their families during certain times.

“ With regard to diet, etc., you see no difference in the ordinary comforts which a prisoner gets as compared with a person outside the jail. It is true that the social and economic system in Russia lends a good deal for the adoption of these reforms. I hope even in this country it is possible to adopt that system to a large extent.

“ Again in Russian jails you do not find prisoners salaaming or standing up when the officers of the prison come before them. In Russian jails no prisoner stands up and salaams as a sort of discipline even to the Superintendent of the Jail. Prisoners enjoy the same privileges as those outside the jails.

“ There is another thing which they are adopting in Russia at the present moment, and it is absolutely desirable that the same system be followed in this country also. There are very few jails of the old type, viz., closed prison walls. They have practically given up the old system of having big buildings for being used for keeping prisoners. Jails are more or less like camps where people are detained and are made to work during certain hours. I do not see why even in this country such a system should not be adopted. You may say that prisoners may run away. The camps may be fenced round with electric wires so that prisoners may not run away. Instead of spending large sums of money on buildings for prisons—which is a very costly system—the system adopted in Russia may be adopted in this country also.

“ I wish to say that in this country a large number of agricultural labourers who are accustomed to agricultural life are confined in prison cells to the detriment of their health. I want to make these suggestions to the Government. Most of the prisoners being agriculturists, it would be much better if the Government see that agricultural operations are carried on in at least one or two Central Jails. If that is done, if the prisoners can be asked to do the work to which they are

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accustomed, it will be possible for the Government to make some profit out of agriculture. I hope the Government will see whether they cannot adopt some sort of camp system as is done in Russia. Agriculture may be adopted as one of the occupation in jails in future.

“Sir, many of us have complained about buttermilk not being supplied to ‘C’ class prisoners in jails. In spite of this complaint, it has not been remedied. As long as the Government do not supply buttermilk to ‘C’ class prisoners, the complaint will be there. Neither this Council nor the future Councils would be satisfied until buttermilk is supplied to prisoners. Buttermilk is a cheap article of diet; and it is also a necessary article of diet. The Government are giving out some reason or other for not supplying buttermilk. I hope that they will see their way to supply buttermilk to ‘C’ class prisoners,

“I have only one point to refer to and that is with regard to tenders for articles supplied for jails. Jails also spend lots of money on raw materials for jail manufactures. I hope the system of accepting the lowest tenders—which system I have been saying should be adopted in other departments of Government like the Local Self-Government Department and the Public Works Department—should be adopted in the case of jails also. There may be rules to the effect that the lowest tenders should be accepted. I do not think that the rules are followed strictly. By this rule not being observed, lot of mischief is being done. The only safeguard that can be devised is to insist upon the lowest tenders always being accepted. If that could not be done, the matter must be reported to the Government and the sanction of the Government should be obtained.

“Another complaint I have been making in this Council is why Members of the Legislative Council should not be appointed as ex officio non-official visitors to jails within their jurisdiction. Perhaps the Government think that some of the suggestions that would be made by them would be irksome. I think that they will be very useful. Of course it is delicate for us to go and ask Government to appoint us as non-official visitors to jails. As representatives of the districts I think it is only fair and just that the Government should appoint every Member of the Legislative Council as a non-official visitor to the jails in his jurisdiction. There is nothing wrong about it. I hope that my suggestions will be considered by the Government. I hope that the Government would see that Members of the Legislative Council are appointed as non-official visitors for jails within their jurisdiction.

“I do not see why this Government should spend a lot of money on jails while in other countries like Russia they are making a profit from jail administration. Convict or conscript labour is in vogue in jails and if it is properly utilized, it ought to be possible for the Government not to incur any loss on account of jail administration. At the present moment lakhs and lakhs are spent on jails.”

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12-30
p.m.

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Sir, I shall try in the brief time that is at my disposal, to answer most of the important points referred to by my friends to-day. My friends, Mr. Sami Venkatachalam Chetti, Mr. Shetty and others, referred to the system of discipline that ought to exist in the jails and the treatment that should be accorded to the prisoners in the jails. My friend, Mr. Shetty, in particular, said that the conditions in the Indian jails are not so good as those in the jails in the West. I may at once say, Sir, that I agree with many of the suggestions made by my friend, Mr. Shetty, regarding the system that should obtain in jails. I may, in this connexion, refer briefly to the policy that is followed in our prisons and the way in which our prisoners are treated in the jails. The prisoners are divided into several classes—men prisoners, women prisoners, juvenile prisoners and adult prisoners. There are separate jails for women prisoners and for men prisoners; and there are separate—I don't call them jails—institutions like the certified schools and the Borstal schools for the benefit of the juvenile and adolescent prisoners. In these certified and Borstal schools, general instruction is given to the unfortunate boys and they are also given special training in certain industries. So also with reference to adult prisoners, there are elementary schools in all the central prisons and in most of the district jails, where general instruction is imparted to these prisoners. In addition to that, they are also taught some industries such as weaving, shoe-making, carpet-making and other industries, which will be of use to them after their release from the prison. The object of such training is to enable them to live as honest citizens and eke out an honest livelihood. Those persons probably in whose blood criminality exists will not be benefited by this system of industrial training, after their release from the jails; but I have no doubt whatever that many of those prisoners in whose blood criminality does not exist, will certainly be benefited by this system of industrial training in these jails.

"Then again my friend, Mr. Shetty, referred to the habituals being segregated from the casuals. There are special jails, Sir, where habitual prisoners are kept, and there are other jails in which casual offenders who have been unfortunately convicted by criminal courts are kept. Again, there are separate jails for accommodating persons who are suffering from diseases such as leprosy, etc. There is a leper annexe in the Trichinopoly Jail and another in the Salem Jail; so that, these persons who have the misfortune of suffering from this disease can be treated there separately. Again, in the Cuddalore Jail the mental defectives are segregated and special arrangements exist there for their benefit. For the sake of those who are suffering from consumption, there is the Wellesely Sanatorium at Bellary, where such people are cared for. This is, briefly, the policy by which the prisoners are classified. I thank my friend, Mr. Venkatachalam Chetti, for the personal references that he made to me; but at the same time I must say that he painted the system of administration of jails in this Presidency in the blackest way possible. I must differ

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from him there. He referred to the kind of sanitation that prevails in our jails. I wish I could take my friend to one or two jails; and he will find that the sanitation that obtains in those one or two jails is almost perfect; that the kind of sanitation that exists in the jails does not obtain even in many of the houses in our towns. I do not of course say that sanitation is not perfect in some houses; but I can say this boldly that the system of sanitation obtaining in our jails is, as I said, almost perfect.

“My friend, Mr. Venkatachalam Chetti, stated that the conditions obtaining in the western countries are much better. I am sorry that I myself have not gone to Europe and seen the jail system and jail discipline in those countries; but I am quite prepared to admit that the system of jail discipline—I suppose as in many other matters—in the West is very much better than what we find here. I venture to state, Sir, that in spite of all our defects—and I do think there are many defects in our jails—the administration of jails in this Presidency is, without any disparagement to the other Provincial Governments, very much better than that in other Provinces. I may also state that the system of classification was referred to by my friends. I suppose that many of my hon. Friends in the Council will agree with me when I say that in the system of classification into ‘A,’ ‘B’ and ‘C’ class prisoners, this Government have been following a very liberal policy. It must be within the experience of many Members of the Council who came to me with requests for changes in the classification of some prisoners placed in ‘C’ class to the ‘A’ or ‘B’ class or ‘B’ into ‘A’ class, that the Government have been adopting a very liberal policy. The prisoners in the jails are at liberty to make representations to the Government in regard to their classification. Their friends or relations were also making representations to the Government on their behalf. When the Government have received these representations, in consultation with the District Magistrates concerned, wherever possible, the prisoners have been treated in respect of classification very liberally. In this connexion I may also state that the Leader of the Opposition, Dr. Subbarayan, last year at the time of the Budget discussion referred in very appreciative terms to the policy of the Government with reference to the classification of prisoners.

“Coming now to the question of diet; the best test as to the quality of food supplied to the prisoners—I am speaking of the prisoners in general, the ‘C’ class prisoners who form the bulk of our prison population—lies in the increase or decrease of the weight of the prisoners. In a very large majority of cases, persons, after they have been in prison for some time, gain weight. That, I submit, is a very good test. With reference to the question of germinating dhall, to which my friend referred, the medical opinion is that germinating dhall, so far as nutritive value is concerned, is very much better than split dhall. But having regard to the repeated complaints made by my friends in this House as to the smell that is said to emanate from the germinating dhall, I went

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into the whole question; and as my friend, Mr. Venkatachalam Chetti, pointed out, it has been resolved to give up germinating dhal and resort to the old system of giving split dhal. Of course germinating dhal will be used for the purpose of making chutney or some such thing, but that is a small matter. So, according to that test of increase or decrease in weight, I submit that the food supplied to these prisoners is very satisfactory. This is with reference to the 'C' class prisoners.

"In regard to the 'A' and 'B' class prisoners, I must say that the food supplied to them is even luxurious. It is indeed remarkable that no complaint whatever has been so far heard on the floor of this House regarding either the food or the other comforts supplied to 'A' and 'B' class prisoners.

"Turning now to buttermilk, as Mr. Venkatachalam Chetti stated, I promised that I would carefully go into the question and I did so. I called for detailed reports from the Inspector-General who, in addition to being the head of the Prison department, is also an Indian Medical Service officer, a medical man. He gave the pros and cons of the case, and dealt elaborately with the question both for and against the giving of buttermilk to the 'C' class prisoners. After considering his report and after considering everything connected with the subject, the Government have come to the conclusion that it is not necessary to give buttermilk to 'C' class prisoners. At present, in any case, there is no need to give buttermilk to the 'C' class prisoners because the number of civil disobedience prisoners now in our jails is not large. I made that statement on a previous occasion and I adhere to it to-day. I differ from my friend, Mr. Venkatachalam Chetti, when he says that there is a demand for buttermilk from the ordinary 'C' class prisoners. Sir, prison administration has existed for so many years in this Presidency. It was only after the civil disobedience movement started and particularly within the last three or four years that we have been hearing about the necessity for the supply of buttermilk to 'C' class prisoners. The number of civil disobedience prisoners in the jails on the last day of February 1934 is 77; out of these, 4 are in 'A' class and 11 in the 'B' class. Since that date, probably, some have been released.

"Again, it was stated by Mr. Narayanan Nambiyar and others that buttermilk is an article of diet which is used by the prisoners daily in the course of their meals—he referred to the ordinary 'C' class prisoners, not to the civil disobedience 'C' class prisoners. My friend, Mr. Nambiyar, will excuse me if I say that I have greater experience of Malabar. He is a very much younger man. My experience of the world, and of the Malabar world, especially is very much greater than his experience. What I am trying to point out is that the classes from which the ordinary criminals in Malabar—such as cut-throats, dacoits, etc.—are coming generally, are not ordinarily in the habit of using buttermilk. Probably my friends from the other districts may be in a position to say that the same is the case in their districts. In any case, my knowledge with reference to Malabar, as I submitted, is certainly

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more than that of my Friend, Mr. Nambiyar. So, I believe, there is nothing wrong in the Government having refused buttermilk to the 'C' class prisoners.

"I may be permitted to say one word with reference to the statement that Mr. Premayya made the other day. I have been thinking over that statement and did not want to refer to it as I thought that there was no need for it and that I could neglect it altogether. But, I have been advised by my several friends in this House to refer to it. Mr. Premayya stated that in self-governing countries, when one of the political parties comes into power, that political party puts the leaders of other parties, and not only leaders, but leaders first and followers subsequently, into prison. I believe, that in England which is our model in very many respects—it is a self-governing country—the conservatives, the Liberals and the Labourites who form the important political parties in England, do not indulge in the pleasant pastime, whenever they come into power, of putting the leaders of the opposite party into jail. I do not want further to go into the accuracy or otherwise of the historical researches of Mr. Premayya. He said—I suppose he meant it as a joke—that when his party comes into power, the first thing that he will do is to put the Law Member and others into prison. (Mr. Sami Venkatachalam Chetti: 'As an act of clemency.') I do not mind being put into prison by the party of which Mr. Premayya is a Member, though I doubt very much whether any Member of the party to which he alleges he belongs, does entertain this kind of opinion. Now, what I am concerned with is this. I am concerned with the decorum, dignity and the decency that should be attached to the deliberations of this Assembly. I am rather jealous of the dignity of this House and I am afraid that coarse and vulgar jokes like this will have the effect of bringing down the dignity of the House to a great extent. I leave my Friend, Mr. Premayya, at that, with reference to the statement he made.

"Then, Sir, my hon. Friend, Mr. Venkatachalam Chetti, referred at length to the resolutions—I also saw them in the newspapers last night—passed at the Conference of Inspectors-General of Prisons. My friend dwelt at length upon them and commented upon them and wound up with an appeal that I should not accept those resolutions. I may tell my friend at once that this Government have not received those resolutions till now and that when these resolutions are received by the Government, I can promise my friend that this Government will certainly not accept those resolutions, simply because they have been passed by the Conference of Inspectors-General of Prisons. Government, as in the past, in the future also, will go into the reasonableness or otherwise of all these resolutions. . . (Mr. Sami Venkatachalam Chetti: 'Are they competent to pass such resolutions individually on behalf of the Governments which they represent?') These Inspectors-General go there to attend the conference with the permission of their respective Governments and they are at perfect liberty to pass any resolution that they please, but whether those resolutions will be binding upon the Governments or not is another matter. I may tell my friend that these resolutions are not binding upon the Government.

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Government, as I said before, will, when these resolutions are received, go into them carefully and then come to their own conclusions.

“ Then my hon. Friend, Mr. Pocker, and many other friends also referred to the release of Mr. Narayana Menon. I may tell my friends that the question of the release of Mr. Narayana Menon was considered by this Government on very many occasions and that the last time on which the question of his release was considered by this Government was, I believe, in September last—it may be in October or so—and that the Government after a great deal of consideration came to the conclusion—the district authorities were naturally consulted—that it was not desirable to release him.

“ My friend, Mr. Pocker, particularly referred to the release of Mappilla prisoners.”

Mr. SAMI VENKATACHALAM CHETTI:—“ What about the term of Mr. Narayana Menon? ”

The Hon. Sir M. KRISHNAN NAYAR:—“ Mr. Narayana Menon was sentenced by a court of justice to transportation for life, I believe, on the 24th of September 1922 and as my lawyer friends of this Council know, the usual term ‘ transportation for life ’ means imprisonment for a term of 20 years, so that in the ordinary course, his term of imprisonment will expire on the 24th of September 1942. Whether he will be released before that or not, it is not possible to say now, but as I stated, Government after a great deal of deliberation, came to the conclusion that it was not desirable to release him now.”

Mr. SAMI VENKATACHALAM CHETTI:—“ Is it not usual to release life-time prisoners by fourteen years? ”

The Hon. Sir M. KRISHNAN NAYAR:—“ No, there is no such general rule. It all depends upon circumstances. It is quite possible, however, for Mr. Narayana Menon to get remissions, when it will be possible for the Government to release him before 1942, but at the present moment, I am not in a position to say that he will be released or can be released before that date.

“ Then my friend, Mr. Pocker, referred to the release of the Mappilla prisoners. I am very glad to observe that he appreciates, on behalf of his constituency, the acts of the Government in this matter. As a matter of fact, as my hon. Friend knows, and as he himself has stated it, the Government have been very liberal in the treatment of the Mappilla prisoners. Not only hundreds, but thousands of Mappilla prisoners have been released and what is more, last year and the year before last, Government also allotted thousand rupees each for the upkeep of these Mappilla prisoners. With reference to this matter, my friend made an appeal to me, that the remaining prisoners that are now confined in the prisons should be released. With reference to that, I may tell my friend that the Government are even now considering whether some of these

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prisoners who are kept in the Andamans and in jails in this Presidency, or who are compelled to live in particular areas, should not be released. I wish to inform the House that the number of such Mappillas is very small. For instance, the number of prisoners in the Andamans now is only 28, and out of this 28, ten have been ordered to be released and they will be taken over to India by the first steamer available. Then, the number of prisoners in the jails is only 59; and the number of those unfortunate persons kept in the Cuddalore Jail on account of mental defect is five and of this number, the question of releasing four is now under consideration.

“ Then, as regards the Mappillas detained under Regulation II of 1819, there are only 29 prisoners and out of this number, the question of releasing 14 is under the consideration of Government at present. Then, there are only seven persons who are kept under the Mappilla Outrages Act and the question of their release was recently considered by the Government. In this connexion, I may say that I am very much indebted to the Chief Secretary, Mr. Bracken, who helped me very much in the matter of the release of these Mappilla prisoners. I feel greatly indebted to him and I am glad that I have had this opportunity of publicly acknowledging his help to me in this matter.”

B. POCKER SAHIB Bahadur :—“ What about the repeal of the Mappilla Outrages Act? ”

The Hon. Sir M. KRISHNAN NAYAR :—“ With reference to the repeal of the Act, I am very sorry that I cannot hold out any hope to my friend. My friend said that it is an affront to the Mappillas. I may assure my hon. Friend that it is not retained on the Statute Book for the purpose of affording any affront to the Mappillas, but that it is retained as much for the security of the respectable portion of the Mappillas as of the other portions of the population of Malabar. My friend knows, as well as I do, that within the last so many years there has been not a single Mappilla that has been deported or has been taken outside Malabar under the Act. There is that weapon in the Government armoury which can be utilized in times of danger and I do not think it safe to take away that weapon from the armoury. As I said before, I cannot hold out any hope as to its repeal.”

B. POCKER SAHIB Bahadur :—“ What about the man stricken with paralysis in Madras? ”

The Hon. Sir M. KRISHNAN NAYAR :—“ I am glad that my hon. Friend reminded me of him. If my hon. Friend will give me particulars, I shall make detailed enquiries and if it is found necessary to release him I will certainly do so.

“ One more word, Sir, with reference to what fell from my hon. Friend, Mr. Koti Reddi. According to the description that he has placed before this House of the state of prisons in Russia, I wish I were one of the prisoners there. He said that prisoners in Russia are afforded

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all comforts and luxuries (laughter). Joking apart, I may tell my hon. Friend, Mr. Koti Reddi that I myself have been reading a number of books about the state of affairs in Russia. We have been receiving all sorts of contradictory reports from Russia. It is absolutely impossible to come to any conclusion as to the real state of affairs that obtains in Russia. In any case, my Friend, Mr. Koti Reddi, will pardon me for not adopting his suggestions regarding the treatment of our prisoners, based upon what he thinks is followed in Russia."

* Mr. G. R. PREMAYYA:—"It is a great pity, Sir,—I am not making a speech—that my Hon. Friend, the Law Member, was not able to understand the flash of my good humour. If he were a Britisher, I know he would have immensely enjoyed it. As he is joking with others, he must know how to take the jokes that others make. I am sorry. I withdraw the motion, Sir."

The cut motion was, by leave, withdrawn.

The Demand was put and carried and the Grant was made.

DEMAND XIV—POLICE—RESERVED.

* The Hon. Sir MAHOMED USMAN:—"Sir, I beg to move—

'that Government be granted a sum not exceeding Rs. 1,52,94,100 under Demand XIV—Police—Reserved.'"

* Mr. C. BASU DEV:—"Mr. President, Sir, I beg to move—

'to reduce the allotment of Rs. 20,300 for Presidency Police—Superintendence—Pay of Officers, by Rs. 100.'

Sir, the object of this motion is to invite the attention of this House to the desirability of making the Police force more attractive to a better type of man by making the salary and other conditions of service more alluring. Before I proceed further to speak on this aspect of the question, I would like to pay my humble tribute to the Hon. the Home Member who has been in charge of this difficult subject during perhaps the most difficult period which any Government was called upon to face. Only the other day, I have heard with considerable gratification and surprise from my hon. Friend, Mr. Arasu, a tribute and a compliment of which any gentleman would rightly feel proud.

1 p.m. "Mr. Arasu one of the most violent and, may I say, reckless critics of this House paid one of the highest compliments which any Member of the House or outside could offer. That, Sir, is sufficient to show how the firm administration of the department has received the approbation of this Province. The other day when the general discussion on the Budget was going on, Mr. Sami Venkatachalam Chetti said that this Budget should be cut down by 50 per cent while at the same time the Raja Saheb of Parlakimedi had deplored the inadequacy of the Police

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force to meet the requirements of this Province. Sir, during the last four or five months I have had occasion to visit villages quite often and I found in what state of consternation the villagers are on account of the frequent occurrence of burglaries. I heard the Police asking the villagers to be more careful and watchful during the nights. The administration report of the Police department says:

‘The continued slump in agricultural prices and the difficulty experienced by the ryot in disposing of his produce, coupled with the return of numbers of emigrants from abroad, resulted in unemployment in all parts of the Presidency and created conditions which were undoubtedly conducive to the prevalence of crime. The growth of rioting resulting from rivalry among candidates for election to local boards and municipal councils is a disquieting sign in view of the impending increase in the numbers of the electorate.’

‘In view of these observations I should think it would be very unwise to suggest or for the Government to adopt the suggestion to retrench the Police force at this particular time. Far from there being a necessity to retrench, I think there is every reason for augmenting its strength. In view of the fact that this department is presided over by one of the ablest officers which any country can boast of, I refer to, Sir Charles Cunningham, I am content to leave the question of its strength in his hands. Sir, the Police has been very often criticized for its handling of the civil disobedience movement. At the time when the Police indulged in acts of firmness and perhaps of some force on those who disobeyed law at that time, public sympathy had naturally veered round to those who were affected and only late in the day would the action of the Police be approved. The taluk board of Parlakimedi dominated as it is to-day by the Swarajists passed the following resolution about an event which took place hundred years ago:—

‘As the campaign led by George Russell who was appointed by the Madras Government in 1832 as Special Commissioner to suppress the rebellions that had disturbed public peace in the Parlakimedi taluk for about 60 years was brought to a close before April 1834 and as lasting peace was established by the measures he then took, it is proposed (1) that the Russell centenary be celebrated before the end of March 1934, by the Parlakimedi Taluk Board as representatives of the people of this taluk who have since then reaped the benefits of that peace and enjoyed security of peace and prosperity as well as the rights and privileges of British citizenship and are desirous of commemorating the glorious achievements of George Russell.’

‘Such a tribute is paid by a set of Swarajists and ostensible non-co-operators hundred years after the event to an officer of the Government of Madras. But the result of the firmness of Sir Mahomed Usman has been appreciated almost immediately after the civil disobedience movement was suppressed. I do not think the department requires any support from anybody. I must say that the Police department was criticized only on two occasions and criticized very badly. First at the time when the mill hands were on strike in the Buckingham and Carnatic mills and when the Police wanted to suppress the movement of disorder.

(Interruption by Mr. Sami Venkatachalam Chetti.) I am sure, my hon. Friend will follow me and I am rather nervous in anticipation of his fume and fury. (Laughter.)

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“As I have referred already the object of the cut is to impress upon the Government the necessity of making conditions of service more attractive. The service is not sufficiently attractive to get the best of men into the service and even those who are already in service do not have sufficient inducement to do greater and more efficient work. Opportunities of promotion should be more than what they are now.

“A friend of mine suggests, Sir, that the recent non-application of the communal Government Order to the services in the Police department has caused discontent among the loyal section of the Madras public and it is the desire of many on this side that Government may consider the re-application of the communal Government Order. The salary now offered to the sub-inspectors, constables, head constables and even inspectors are not at all sufficient to make them work with greater enthusiasm and efficiency or to attract men of a better type. I therefore, Sir, very strongly urge on the Government to make conditions of service more attractive.”

* The Hon. the PRESIDENT:—“This is a Demand on which there is a large demand from Members for an opportunity to speak. I, therefore, request hon. Members to take as little time as possible to enable others also to speak.”

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—“Sir, I want in this connexion to bring to the notice of the Government two matters which are of a serious character in my district. One is, Sir, the very large number of murders that are committed in my district which have not been reduced by any steps taken by Government whether in Police or any other departments. Sir, we in this Council, some years ago, suggested that at least an enquiry may be held as regards the reasons for these large number of murders in the district. But nothing seems to have been done. The Police have been finding it difficult, Sir, to bring to book the culprits even in cases where murders have been committed in broad day-light at 2 or 3 o'clock in the day. Life, Sir, is very insecure in some parts of the district. In Tiruppur, a big place with a population of thirty thousand, in broad day-light a murder was committed. The ex-municipal chairman was attempted to be murdered in this same place and he escaped with injury. It is up to Government to make enquiry as to the causes for such large number of murders in this district and try to do something to improve the state of affairs. In this connexion I may state that the Government may use the preventive sections of the Criminal Procedure Code a little more liberally in the Coimbatore district and districts similarly situated. Probably that will avoid to a certain extent at least the number of murders and bring about a little improvement in the state of affairs. Another matter so far as this district is concerned—and to a certain extent connected with others also—is this. In cases where delivery of possession is ordered by a civil court there is very often obstruction. It is unfortunate that the Police do not always co-operate in getting the processes of the civil courts executed. I know, Sir, many cases in which the Police declined to have anything to do and I have been told and I cannot vouch for the

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truth of it that some District Superintendents of Police have said that their hands are full, that they could not help the civil courts and that they must look for themselves. I must ask the Government to consider whether it is not their duty to see that the processes of civil courts are executed properly and speedily and to that end the necessary Police aid is given. That is a matter which I want the Hon. the Home Member to consider well. Probably some of the murders which are caused in my district can be avoided by the Police rendering help to those who are entitled to the possession of land and also by helping the processes of courts being executed properly. In any case it is but proper that where there is a lot of trouble both to civil and criminal courts and a lot of murder, Government should move in the matter without loss of time. If the Police will help in ejecting the people who are not entitled to land and help those who are entitled to be in possession of the land in their being in possession of the land, things will probably be very much better. I would request the Hon. the Home Member to specially consider this case because it is not confined wholly to my district but it is a general complaint. I have heard, Sir, from several districts in all parts of the Presidency, that the help that is rendered by the Police to the process of civil courts being executed is anything but satisfactory. I do hope, Sir, that some sort of action is taken in this matter.

“There is one other matter which I want to bring to the notice of the Hon. the Home Member. But I do not know how far it is practicable for him to help in this matter. At the present moment we have got a Police station for a very wide area and it is not possible for the person in charge of the Police station to control the whole area. That is a matter which will have to be considered. If, for instance, the area is smaller and the person in charge of the station knows the feelings of the several factions in the locality he can help to a large extent to prevent serious crimes being committed. That is not possible at the present moment because the area is very large and the personal touch of the Police officer with the several factions and their activities is not anything like what it should be. Sir, it is a question which the Hon. Member may consider. I know it is a matter of finance, duplicating and triplicating the number of officers in the area and giving more constables is no doubt a matter of money and the question of finance will have to be considered. From the stand-point of reason I have no doubt that the areas should be very much reduced. I hope the Hon. the Home Member will consider these things and do something in the matter.”

* Mr. A. B. SHETTY:—“Mr. President, the Police administration was the subject of much hostile criticism in the days of the civil disobedience movement. We had any number of adjournment motions and the Hon. the Home Member was being bombarded day after day with questions and supplementary questions. Sir, the Hon. the Home Member must be feeling much more comfortable in his seat now because we are having more peaceful days. This is the time when Government should consider the question of improving the Police administration and organization and of developing Police methods and technique. Sir,

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prevention of crime has been said to be the best and highest kind of Police work. It is, therefore, very gratifying to note from the report that the figures for crime have been declining year after year and in 1932 they were the lowest ever recorded. Madras per population is claimed to be the least criminal of the Provinces and to add to this, in the year under report, it is claimed that the year's record for detection is the best ever recorded.

“ Sir, the provision of an honest and expert Police system is the first essential for securing a reduction in the volume and variety of crime. With this object in view Government must constantly endeavour to raise the standard of recruitment and training. With regard to constables I find in the report that there is no difficulty experienced in having a continuous supply of recruits of proper physique, character and literacy. A number of S.S.L.C. holders, one intermediate and one B.A., have been enlisted as constables. The recruitment of the constabulary from the educated youth of the land will surely do much to raise the tone and morale of the whole Police force. I am sorry that there are still 909 or 3.9 per cent illiterate among the constables. The recruitment of illiterate people should be put a stop to in the agency tracts also as they have done elsewhere and the training course provided for these constables should be extended to nine months at least. The conference of Police officials held in 1927 has recommended this as the minimum time required for giving proper training. In regard to sub-inspectors, the last but one report rightly says that these form the backbone of the Police force and it confesses that there are still many shirkers and dullards among them. There has been a rise in the educational attainments of the people recruited to this class, but still we find that the large majority of them are S.S.L.C. holders. I would raise still further the standard of recruitment as regards education, and select graduates as far as possible. We must recruit a better educated type of men as sub-inspectors and inspectors and we must also raise the standard of efficiency among these people. We must give them training not only in the ordinary work of the Police, but also in detection work and in prosecuting cases. Unless cases are intelligently prosecuted, the time spent on investigation is more or less a waste.

“ It is now considered desirable that there should be a gradual separation of the investigating staff from the ‘ Law and Order ’ or the ‘ Uniform Police.’ It is pleasing to note that they now have a Central Intelligence Bureau and District Intelligence Bureau. The detective staffs in the districts are said to be rendering practical help in investigation work. If this detective staff has really been found to be useful, then it must be further developed and perfected so that it may be of still greater service in detection work and in dealing with serious and professional crime which requires longer investigation.

“ I am glad to note that the Criminal Investigation Department is developing its activities in many directions. There is a Crime Branch which is attending to the investigation in regard to counterfeiting of coins and forging of currency notes. There is a Finger-print Bureau

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and a shorthand Bureau. The crime classification system has been adopted in this Province also. The report says that this system has been found to be of great value in improving the methods of investigation and in producing better results in detection work. The method of crime classification followed in the United Province was said to be in advance of most Provinces about half a dozen years ago. I wish to know whether the system adopted in Madras has been found to be successful, whether adequate staff is provided for this work and whether there is proper control exercised from above.

“ The Police system must be made an expert profession based upon adequate specialised training. The criminals of the present day, particularly professional criminals are exploiting the resources of modern science and mechanism for their purpose. Improved methods of attack are necessary to deal with them. The motor car is now and being increasingly used as an aid to crime. In England, they have what is called a flying squad to encounter ‘ motor bandits ’ and this squad is equipped with motor cars of various types carrying a concealed wireless set. Scotland Yard is said to have devised a system for wirelessness even finger prints. The conference of Police officials in 1927 recommended that at certain centres there should be suitable reinforcements of flying squads such as the one they are now employing in Burma for aiding the district detective staff in case of need. In England, since the Great War, the Police at Liverpool and other ports are provided with canine helpers. At the headquarters of several provincial police forces there is a kennel of trained dogs for tracking purposes to be taken on an emergency to the place of crime and the use of these trained dogs is said to be becoming more and more popular particularly in country districts. Our Police force must have up-to-date equipment and be ahead of the expert law-breaker.

“ With regard to traffic control the conference of Police officials held in 1927 and the conference that met in 1929 have expressed the view that to cope with the growth of motor traffic extra staff for traffic control should be provided. The Inspector-General of Police has been asking for extra traffic Police, but, on account of retrenchment, nothing was done. I find in the Budget provision has been made for an additional Assistant Commissioner for traffic work in the city, but there is no provision for extra staff for traffic control work. Money for this purpose can be found by effecting retrenchment in certain ways. During the previous debates on the Police Demand the abolition of the Malabar Special Police has been urged by some of the members. The Hon. the Home Member may examine this question and find out whether in the present circumstances, considering the relations that exist between the Hindus and Muhammadans in Malabar to-day, it is necessary to continue this expensive Police force. Two Members of the Retrenchment Committee have suggested that at least one post of Deputy Inspector-General can be safely abolished. The old Retrenchment Committee had proposed the abolition of all these intermediary posts. This also may be considered by the Hon. the Home Member. The

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retrenchment effected in this way will give the necessary money for effecting improvements in the directions I have suggested.

“Sir, I find from the report that there is more co-operation now coming from the public. I need hardly say that the co-operation of the public is very necessary for the Police to carry on their work. The co-operation of the public will depend upon the attitude and behaviour of the Police. We often hear complaints of the highhanded and discourteous actions of the Police, particularly the subordinate Police. If in England the Police have earned a large measure of trust and affection from the public, it is due to their civility and attentiveness to persons of all classes and ranks. The higher officers must set an example and show what the policeman's behaviour towards the public should be. I hope, Sir, the Hon. the Home Member will give his earnest consideration to the suggestions I have ventured to make in the course of my speech.”

* Mr. SAMI VENKATACHALAM CHETTI:—“Sir, I am glad my hon. Friend, Mr. Shetty, has pointed out that the time has come for making constructive suggestions for the reformation of the Police. Now when sensational and panicky times are over, it is very desirable that the Government must receive our criticisms in a friendly spirit. I may in this connexion say that the indiscriminate use of the lathi during the last four or five years has really affected the psychology of the Policeman towards the ordinary citizen. It is desirable that he should be told that those times are over and that he must have regard and courtesy to every one in the country. It therefore becomes necessary that the Government should give a warning to the Police against their doing anything elated with their success over the Civil Disobedience movement. Fulsome praise is far more devastating and demoralizing than even biased criticism. I therefore respectfully suggest to the Hon. the Home Member, particularly now when he is going to become our acting Governor, to tell the Police, whenever necessary, that they are in the wrong and also to encourage them in the work that they have got to do in the most judicious and in the most dignified manner. As I have been saying, of late, there is not that regard for the private citizen that is expected of the Policeman. Sir, we must so conduct the Police administration as to convince the people that the Police department exists for helping the honest citizen against the dishonest man. When you find persons running to Police stations and making complaints for very many trivial and serious things to which they might become victims, then only it can be said that the Police is popular.

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“Sir, nowadays, when we find that moneys are stolen, or when houses are burgled, or some other offence is committed, our first concern is to avoid the Police. (Laughter.) For we see whether we cannot recover the lost property without resort to the Police. Why? For, a complaint to the Police is far more inconvenient than even the inconvenience sustained by the loss of the property. There are many instances where skirmishes have taken place and where disorders have happened,

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and yet if we go to the Police station or telephone to the Police, we are met with the firm and curt reply to bring the offender to the station, as though that duty is cast upon the complaining citizen. So, it is necessary that the Police must be told quite clearly and definitely that they must attend to these complaints at once, no matter from which quarter they come. It may appear to some that I am trying to make a big complaint of a small affair. That is not so. It is because it has been the daily experience of some citizen or other in the city or outside that I voice this matter here and now. As a matter of fact many people do not get the assistance of the Police in times of need.

“ Even in the matter of detection of crimes, though there has been some improvement during the last year, still I must say that there is much to be done. I must say that last year, the three or four murders which have been committed in the city, have been within a short time detected. But still there are two or three more that remain undetected. Anyhow I must acknowledge the fact that the Police this time have been more alert in getting at the clues of the murder than heretofore. The police also must be told that they need not show their record of service by the number of cases booked. For there is a tendency on the part of the police officials, particularly the zealous police officials, to book as many cases as possible, and in that misguided zeal, they naturally mismanage the cases and present a very clumsy presentation in the courts. In one or two matters the police very deservedly got censure from the Bench. But it is only in very few cases even the judiciary is bold enough to pass severe strictures on the police on the conduct of cases. It is therefore desirable, Sir, that the work of the police department should not be judged by the number of successful cases which they carry to courts. I may also say that I cannot from the nature of things, substantiate that statement. There is a disconcerting number of suicides committed by the persons under remand. It is difficult to conceive of the possibility of such a thing when a prisoner is under remand, i.e., when he is practically under the very eyes and nose of the police. When one considers that, one wonders how does that happen when a man is under police custody? Apparently all the night there is no watch over these prisoners, and so when the door of the lock-up is opened next morning, the constable or the orderly finds to his astonishment a corpse hanging by a rope from the beam! If one is disposed to put a rather ungenerous construction on such incidents, he might well ask, is it entirely unconnected with the treatment which that prisoner might have received at the hands of the police? In any case there is no indication that the post-mortem examination of those cases of suicide was held by independent medical officers, so that the public might be assured that the suicide is a natural suicide and not a concocted one. I therefore throw out this suggestion to Government to avoid, if possible, the possibility of one thinking ungenerously that the treatment overnight might have caused the suicide. At any rate one cannot ignore the fact that of late the methods adopted to extract confession seem to be very hard, or more

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hard than they were used to be some years ago. There is no possibility for persons like us to verify these things, because we have no access to those places. The Hon. the Home Member is in a position to ascertain as to how far there is truth in the statement of the departmental officers in these matters; and so, if, in spite of the statement of the Police officials concerned in the matter, there is a general feeling abroad that the Police are resorting to objectionable methods in extracting confession, I request him to find out the real cause of the alleged suicides. That is a point to be remembered, apart from the usual encomiums showered upon the Police officials.

“ Now, Sir, with regard to retrenchment I am definitely of opinion that this department is capable of much retrenchment. All of us are aware of the fact that the serving Police man was patronized in times of great political stress by his pay being untouched, while that of other officers was retrenched. Well, that is itself not quite a right way of doing things, while the officials in other departments were as zealous as the Police, and while they were as faithful as the Police themselves. For it would be placing a premium upon the rather very unfair and somewhat harsh methods adopted by the Police if we are to allow that cadre of service untouched in the matter of cut in their pay.

“ Apart from the general cut, the Hon. Home Member is aware that ever since he took office there has been a large accretion to the expenditure in this department. Very many new appointments have been created, and indeed some appointments which were abolished have been restored. And whenever the non-officials in this House raised a cry against the increase in the establishment, it was discounted on the ground that the political situation of the Presidency required a larger number of staff. And added to that, there are our illustrious zamindars, who, in order to collect their rent, want the support of the Police and the Government officials, and so they always want an increase in the Police staff. I can understand if the increased staff is required for safeguarding peace and order in the Presidency; but I cannot countenance for a single moment if it is required for assisting the zamindars to collect their rent dues. To me that reason is highly objectionable and I deprecate any Government which endorses that view. I was astonished the other day, when the Hon. Home Member welcomed that proposal from the Raja of Parlakimedi. I thought he said so only to use that as a counter argument against those who wanted a reduction in the staff. I do not think he is going to increase the Police staff any more.

“ My hon. Friend, Mr. Basu Dev, made himself very famous by giving notice of a cut motion in the Police Demand. And when it comes to a matter of voting, as you are all aware in all deliberations like this, his vote should go in favour of his motion, as otherwise the President has got a right to admonish the Member who votes against

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his own motion. (Laughter.) My hon. Friend, Mr. Basu Dev, has expressed his dissatisfaction in the Police administration at least in a few matters; and I expect, if the vote should be taken on his motion, he will vote in favour of his motion; otherwise he deserves admonition at your hands, Sir.

“Some of my friends who spoke previous to me have referred to the question of traffic in the city and in towns. In this connexion, I have a serious complaint against the police with regard to the motor vehicle traffic. It has become notorious all over the country that these bus-owners, bus-drivers and conductors have become the prey of the Police officers. I cannot say that this taking of tips from these bus people is confined only to the constabulary. For it is difficult to believe that the constabulary has got a right to go off with these perquisites without the cognizance, nay, the active cognizance of the higher officials. They may deny emphatically, but all the same the fact is there. You have got only to ask any person, any bus passenger or any bus-conductor for that. In the city of Madras this evil assumed very high proportions probably due to the enthusiasm of the erstwhile Commissioners of Police, Mr. Windle and Mr. Rowlandson, I am glad that they have agreed to help the public in the detection of this evil and to put an end to it with a strong hand. Unfortunately the section of the motor vehicle traffic is managed by one inspector only for all time; and I wonder why he should be permanently fixed. In my opinion there should be fresh blood coming in, so that one might know the improvements in that matter. Sir, bus traffic stands to disappear not only in the city but also in the mufassal, in case this evil is not stopped. Every day Rs. 2 or Rs. 3 have to be paid per bus by way of tipping, and it is easy for anyone to imagine what gain there will be for the bus-owners, if things go on like this. I think the Hon. Home Member will be well-advised to examine this question, and to avoid all trouble to confine issuing licence to a single particular public organization. My reason for suggesting this is this. It is because of the keen competition between individual bus-owners or bus-drivers that the necessity for tipping the officer at beat stations occurs. That competition can only be avoided if there is a public organization for a number of these buses all put together, or at any rate for buses plying in a particular route, and to issue licence to that agency for running buses in that route, so that no other bus may ply there.”

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* The Hon. the PRESIDENT:—“Does the hon. Member propose to take more time?”

* Mr. SAMI VENKATACHALAM CHETTI:—“I will finish in a minute, Sir. There is another thing which I wish to say. With regard to the ghastly accidents which have taken place on account of rash driving, I think these accidents are again due to the cut-throat competition, that is going on among the buses. If Government would only examine this question of traffic in relation with the cities and towns and in

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relation with the necessity for competition with railways, it would be desirable to merge all these buses into one or two organizations for each city or town.

“ I am glad Sir Mahomed Usman has promised to consider the cases of refusal of gun licences in South Kanara. I hope even after the Budget debate that promise will stand good. My Hon. Friend, Sir Usman will be retiring from the distinguished office, which he has been occupying for the last nine years. Sir, we have crossed swords with him on very many occasions. And I think it is complimentary to both of us that not a harsh word has passed between us, though there was a severe sword play. If to-day we are so pleased that he has been appointed as our acting Governor, it is because he is an Indian and honoured to occupy a distinguished place like that. Probably his case would be followed by several more during the days to come. But under the present Constitution it is certainly a very very pleasing feature that he has been appointed as acting Governor. Sir, the same genuine feelings of congratulation and pleasure that we feel on his promotion must prompt in him that sympathy and responsiveness to public opinion even in matters affecting Police. Therefore, I hope, Sir, that he would take the criticisms and suggestions that we have offered on this occasion as constructive suggestions and helpful criticisms, and try his best to effect the reforms, which we have suggested.”

* The Hon. the PRESIDENT:—“ The House will now adjourn and reassemble at 2-30 p.m.”

After Lunch (2-30 p.m.)

* Rao Sahib V. I. MUNISWAMI PILLAI:—“ Mr. President, Sir, from the administration report of the Police department we find there has been satisfaction all round. As far as the representation of the Depressed Classes in the Police department is concerned, their representatives have been pressing on the Government for a fair representation of their men on the rank and file of the Police department. So far I do not think any good has been achieved. We think that the representation of the Depressed Classes is more essential in the Police department than in any other department. From the report of the Inspector-General of Police for the year 1932 I find on page 14 it is stated:—

‘ In Ramnad district serious trouble continued in the area around Devakottai commonly called the “ Four Nadus ” where the local population of Nattars are determined in disputing the united efforts of the Adi-Dravidas to free themselves from their social disabilities. Matters came to a head on the 5th July when there was a fight between these two communities at Eluvankottai. The police were luckily promptly on the scene to quell the disturbance and adequate precautionary measures taken prevented thereafter further trouble.’

“ Sir, from the report that is given to me I find the position of the Depressed Classes is not at all satisfactory. The Depressed Classes are treated in a worse manner due to the apathy of the Nattars added to that of the caste Hindus. Of course in 1932 some of us appealed to the Hon. the Home Member that a committee must be set up to finally

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decide this matter. He was kind enough to convene a small conference and take all necessary measures to bring about satisfaction between Nattars and the Depressed Classes. But I now find from the papers and also from the report that the matter is getting worse day by day. A woman who went to a well with a brass vessel to fetch water was robbed of the vessel and was treated in a most merciless fashion. I shall just read a few lines from the report that I have just received:—

‘On the 26th February 1933, an Adi-Dravida village called Thevabattu near Kallal had been looted and many men were wounded. On information police had been to the spot and sent the wounded persons to the hospital but no steps had been taken and thereupon the Adi-Dravidas had filed a private complaint before the Sub-Magistrate of Tiruppattur and the case had been compromised on payment of Rs. 75 as compensation to the Adi-Dravidas and on the undertaking of the Kallars that they would not trouble the Adi-Dravidas thereafter.

‘Now, on the 6th February 1934, the very same village had been looted and several men had been very seriously wounded with deadly weapons. It appears that the divisional police do not wish that the Adi-Dravidas should make any statement about the dacoity. So far no tangible measure is being taken to arrest the offenders or to detect the looted properties and the Kallars still continue to ill-treat the Adi-Dravidas with a view to subordinate them and influence them to believe their power is supreme and the police could not do anything to help them. Certainly most of the Depressed Classes are led to believe that the police is not meant to protect them but only to help the caste people in their attempt to subordinate the Depressed Classes to obey their will.’

“Sir, I am glad that for Ramnad district a Muslim District Superintendent of Police has been posted. He is very sympathetic in our cause. But I am afraid that the subordinate staff would not be of the same temperament and it is that that is responsible for the whole miserable condition of the Depressed Classes. The Hon. the Home Member has been able to achieve much during the last two or three years under Law and Order. Unless he issues orders to the police in the Ramnad district to do something tangible to remedy matters, I am afraid the Depressed Classes in Ramnad will suffer enormously.

“I make a final appeal to the Hon. the Home Member that as human beings the subordinate police must pay some better attention to this matter and I am convinced that this will not be cured unless some serious steps are taken as it was done some 30 or 40 years ago. It is for this reason that some of us, the representatives of the Depressed Classes, have been trying our level best to induce the Government to give better representation to the Depressed Class people at least in the police constabulary. The Depressed Class people working as constables do not enjoy the same facilities as other constables, and a distinction is made between Depressed Class constables and constables belonging to other communities. There are instances where police constables belonging to the Depressed Class are not allowed to take water from the wells that have been opened at the expense of the public funds by the Government. This is a serious state of affairs and, unless it is remedied in the early stages, it will lead to a lot of complications in the future.

“Another fact that I want to refer to is that recently public meetings have been held by the Sanatanists where the Depressed Classes were abused in a way not worthy of the position of the Sanatanists. The

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Depressed Classes have been styled under various names and it is up to the police to have given some protection to the Depressed Classes from the attacks of communalists who think that they are above everything.

“ Now I would like to thank the Hon. the Home Member and the Police department for the prompt steps they took in capturing those people who were responsible for the raid in Ootacamund. I know as a matter of fact that the whole town was alarmed at the raid and I think the police have done very efficient work in catching those people and bringing them to book. The whole town of Ootacamund praises the police for their promptness.

“ One other point and I have done. In connexion with the control of motor traffic the owners and conductors of buses are getting anxious every day at the strict control that is being exercised over them by the police in carrying out the instructions of their superiors with regard to motor traffic. In one sense this strict control is quite essential because the police will have to care more for human lives than for bus-owners. But at the same time as my hon. Friend, Mr. Sami Venkatachalam Chettiyar, said there is some misuse of power by the subordinate police which is not liked by the public. I think it is up to the Government and the higher authorities of the Police department to see whether those who are responsible for enforcing these rules and regulations are really doing something beneficial for the people or are misusing the powers given to them. From the report I find there have been any number of prosecutions against people for not carrying out the instructions given to them by the police. With the increase in the number of buses, there must be more vigilant control by the police than their strictly enforcing the very letter of the law against bus-owners and conductors for even the slightest mistake committed by them.

“ The Hon. the Home Member deserves every praise for efficiently carrying on the administration of the Police department.”

* Rao Bahadur C. NATESA MUDALIYAR:—“ Sir, I am very glad to note that there is development in efficiency all round in the police force to-day. Even the lowest official of the department, the constable, feels his responsibility to the public. From the report we learn that there was a continuous supply of recruits of proper physique, character and literacy. If a constable is given all the facilities to keep up his self-respect and dignity, the post will attract many of our young men. I am convinced that if the turban is replaced by a hat and for those who will not like to wear a hat the turban is changed for a better one, many of our young men will be attracted.

“ Now, Sir, with regard to Recruit school, what I request the authorities is to see that these recruited people are taught their duty to the public. It must be dinned into their ears that they are to be appointed for safeguarding the interests of the public. My conception is that a constable should not only possess a good physique, character

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and literacy but he should also be courageous. He should be chivalrous, he should be courteous and he should be well informed. Above all, he should have very good manners. They are telling us so much about the London police. I learnt that if an Indian goes there and if he does not know a place and if he asks the police he gives the information. Our constables are not of that type. Sir, it is better that our authorities bring an expert from Scotland Yard, train our constables in detection, discipline and various other things in which the London police excels ours. There was one educated man, a school final, who accepted the constable's place possessing all these qualifications, viz., education, character, courage, good manners and all other things. He entered as a constable. He rose to be a sub-inspector and we thought that he would soon become an Inspector. But what happened was the Inspector under whom he worked belonged to a different caste from his and he condemned this man and reverted him to a constable once more. It is for this reason I think it is necessary to have officers in a taluk belonging to different communities so that there may be an inter-communal love and respect and consequently communal safeguard.

“ I now come to our City. The Police Administration Report says 2-45 p.m. that the pedestrian has not got good ‘ road sense ’ and that this is the cause of so many accidents. I ask, Sir, who is to create that sense in the pedestrian. Is it not the duty of the police to do it? I have seen the police directing vehicular traffic on the roads, but I have never seen them directing the pedestrian traffic. They direct the carriages and cars towards the very direction where pedestrians are grouping themselves or moving about. They should ask the pedestrians to take to road side platforms where they exist and where there are none, ask the pedestrians to keep to the sides. My hon. Friend, Mr. Hameed Khan, may say that we are taking away the rights of pedestrians—he said so once in the Corporation—but I submit that the rights of pedestrians are bound up with their very lives. Perhaps I should not criticize my Friend, Mr. Hameed Khan, for he is coming just after me and will take me to task. Anyhow I have pointed out what is lacking in the control of pedestrian traffic.

“ Then, Sir, the Corporation of Madras asked the Government to lend some police constables to prevent the committing of nuisance in the streets, but the Commissioner of Police did not agree to transfer them to the control of the Corporation. They are still under the control of the Commissioner. The result is when the constables are wanted by us at 6 o'clock in the morning to prevent the nuisance, they come at 8 o'clock for their duty when all the nuisance has been committed. Our beach is a huge latrine to-day and there are so many other places like that. We wanted the help of the police only to prevent such things happening. I am sure the Inspector-General of Police whom I know very well and who cares only for justice and not for prestige and the present Commissioner of Police will look into these things and set them right. I do not want to speak more, because if I go on saying

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all that I want to say, the time at my disposal will not be enough and I have requested the President to give me only ten minutes.

“ I want to say a few words about our Home Member. Sir, we are very sorry we will be losing him shortly and he will no longer be occupying the first and the corner seat in the Treasury Bench. He belongs to an old family of Madras and he knows as many old Hindu families as Muhammadan families. I was priding myself that in Triplicane we Hindus and Muhammadans were living together as members of a family, but I was surprised to see that our Home Member knew very well the history of so many old Hindu families in Madras. He is indeed a storehouse of such information. The other day I was very much delighted to hear so many stories of old families narrated by him. Then what about the lecture he delivered the other day to the students of the Boddham Hostel? It was a good social, political, cosmopolitan and nation-building lecture, and a lecture which only Sir Mahomed Usman, who is acquainted so well with Hindus and Muhammadans can give. It was a beautiful lecture. With regard to his character, Sir, I say that it was his character and character alone and his strong belief in destiny that brought him to this high position. He has given the lie direct to the belief entertained by some people that if a man was to rise up, he should have at least some slight criminality in his brain. I hope people who want to rise up will see in him that it is character that elevates a man and not any capacity for double, triple and quadruple dealings. I hope, Sir, when he occupies the high position of Governor soon, he will do everything possible to encourage men of character.

“ In 1914, the people of Madras agitated for the appointment of a Muslim Executive Council Member and our prayers were heard and the Government were pleased to appoint a Muslim member. Here on the floor of the House one Member or Members agitated that the police and the judicial portfolios should be put in charge of two different members and Sir Mahomed Usman was put in charge of the police portfolio and this gave him an opportunity to display his genius, with the result that the police administration of the Presidency of Madras under him was a remarkable success. He took up the police portfolio in troublous times. There were thundering criticisms about the police from all the parties, but the Hon. Member took them all coolly and calmly and answered them easily but quite sincerely and was never perturbed. Whatever he promised, he carried out strictly and thus created a confidence in the Opposition in the Council. I have said, Sir, that it was character alone that brought him to this position, but he has other qualities also and they are loyalty, vision and wisdom. It is said:

‘ Let the monarch put trust in him who has loyalty, wisdom, clear vision and is free from avarice.’

The Hon. the Home Member was made an Executive Council Member when he possessed all these qualities, but the King found that he had

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all these qualities and more so His Majesty made him His Majesty's representative to govern our Presidency. With these words, Sir, I congratulate the Hon. the Home Member."

MR. ABDUL HAMEED KHAN:—"Mr. President, Sir, the attitude of the Opposition towards this Demand is different to-day from what it used to be when there was a conflict between the Government and the people. Now that the Congress has withdrawn mass civil disobedience there are not opportunities for conflict between the people and the police. Therefore, I do not think it will be proper for us to take up the political aspect of the police so far as our Province is concerned at present. I think that the Opposition will content itself with making a few constructive suggestions to the Hon. the Home Member, so that he may think over them and try to give effect to popular opinion as much as possible.

"Hon. Members, who have spoken before me, have already referred to the qualities which ought to be possessed by policemen from the top to the bottom. We usually compare policemen in our country with policemen in the west and we find that our policemen are wanting in many respects. There are various causes for that and the first cause is that not only policemen but even the people themselves on account of the fact that they are a subject people have got that inferiority complex which is responsible for the condition to which they have been reduced. This affects the policemen also and particularly the Indian policemen. I suppose the only remedy which will certainly reform the policemen in this country will be to see that we get freedom for this country as early as possible.

"So far as the Crime Branch of the police is concerned, I am afraid it is not working as satisfactorily as it should work. There is no doubt that new methods are devised and every endeavour is made by the officers of the department to find out ways and means to put a stop to the spread of crime, but unfortunately they have not succeeded. In this connexion, I would suggest that just as we do in the case of Education and other departments, we should send a large number of very efficient and strong young men to foreign countries for training. It will, of course, be a very good idea if a large number of young, efficient, strong and brilliant men are sent out to England and Japan and other countries where they have got better police administration and better methods of detecting crime are employed. Of course Scotland Yard is uppermost in our minds. I am sure if a large number of our young men are sent out for such training they will come back better equipped and qualified for the police work here.

"I now come to the control of traffic by the police and here I would take a little more time. There is no doubt, Sir, that the police are endeavouring to do their best to control the traffic not only in the city but also in the mufassal. But unfortunately the rules framed by the Government are so strict and so inelastic that they do not give that

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amount of discretion which is necessary for the heads of the Police departments particularly in the city. I have myself come into contact with the heads of police in the city, particularly those in charge of the Traffic department. I have found that they were in some cases helpless, because the rules were such that although they might have been willing to stretch a point here and a point there to accommodate the public, they could not do so on account of the rigidity of the rules. I therefore hope, Sir, that the Hon. the Home Member will consider the advisability of revising these rules and, when he does so, I would request him to take us also into his confidence. Some of us are interested not only in the safety of the public but also in the prosperity of the people who are engaged in the motor transport industry. I request him to take us into his confidence in revising the rules. For instance, there is the Madras Motor Bus and Commercial Vehicle Owners' Association which has been helping the police to control the traffic better. It is with the help of non-official organizations like this that we will be able to control the bus-owners much better. I am sure, Sir, that we will also bring about results which the police also has at heart.

"My hon. Friend, Mr. Sami Venkatachalam Chetti, mentioned about the numerous accidents that take place. Of course they are caused not only by the commercial vehicles but also by the private vehicles whose speed is not controlled. There is absolutely no limit to their speed and they go at very high speeds. It is more on account of their high speed that accidents happen, than on account of the regulated speed of the commercial vehicles. However, Sir, the rules have to be revised in order that a certain amount of discretion should be given to the heads of departments which control the traffic. To give one instance, I found that it was difficult for the Commissioner of Police to reduce the traffic. The number of prosecutions has been increasing, but yet the trouble has not abated. What is responsible for it? The police seem to think that they will be able to reduce the number of accidents by increasing the number of prosecutions. But I have found that the larger is the number of prosecutions, the larger will be the number of offences committed. The department has not gone into the root of the trouble in order that it may be put down. It is not by merely prosecuting people and punishing them sometimes mercilessly that we will be able to achieve any result at all.

3 p.m. "There are certain things which some of us may be able to suggest. In the city there has always been a good deal of competition in bus traffic, on account of the fact that the Police have been going on giving licences to any number of buses in each line. They are not able to restrict the number of buses that should run on each line. As the number of buses that are plying on each route is much more than what is actually required for the route, naturally there is what is called cut-throat competition and every one wants to take advantage over the other man. This competition is the cause of all the trouble. I made some suggestions to the Commissioners of Police, Mr. Windle and Mr. Rowlandson; they tried their best to find some remedy for it. The

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rules were such that they could not refuse licences to persons who apply. They are not able to restrict the number of buses plying in each line to such an extent as to prevent these accidents and to control traffic in the manner desirable. I would like to go further into this matter. I would request the Hon. the Home Member to persuade his Hon. Colleague who is in charge of motor taxation and to try to see that the rates are reduced.

“Owing to the prevalence of gambling, racing, etc., the city is very much affected. In spite of the numerous Acts that we have passed in this House, we have not been able to put down the crime to the extent to which we should have done. It is due to the fact that the Act, after it is passed, is not given effect to to the fullest extent. It may be that the Act may be defective; if it is so, I hope the Hon. the Home Member would come forward with suitable amendments. Recently I drew the attention of the Government to the numerous amusement shows that came into existence in the city and I must thank the Hon. the Home Member and the Commissioner of Police for putting them down with a high hand so quickly and so promptly. Unfortunately licences are given in different names in different places. I find that a new amusement show has been licensed near the General Hospital called the Willingdon Show. I have not gone there. If that show is as big as it is, there is the possibility of making lot of money by means of gambling. If licence is given to such amusement shows indiscriminately, I do not know whether the complaint will be remedied. Some hon. Members come forward and say: ‘Why put restriction on people’s freedom and liberty?’ These are all questions of ethics and I do not want to deal with them. As a layman I would suggest that it is the duty of the State to protect people in as many ways as possible.

“I wish to refer to the restrictions imposed in the matter of issue of gun licences, and the way in which even gentlemen of good status—whose loyalty cannot be questioned even by the most reactionary people—are treated in this matter. They are called upon to hand over their guns for no reason whatsoever. I think the present policy of the Government with regard to the withdrawal of gun licences and restriction in the issue of gun licences, is not good and the Government will have to revise it; I think that the present restrictions ought not to be imposed on the owners of guns. There are many people who require guns for their protection; they live in places where they find it very dangerous to live without this protection; they should not be deprived of this protection. The Government have not enough Police to give protection to people living in distant places, to people living in villages, and even in the city. The Government think that these guns and firearms might be stolen by the so-called terrorists, from these people. But I am sure that owners of guns will take particular care of these guns and will not allow them to be taken away by anybody. I understand the dealers in firearms also are treated rather harshly. They have been asked to hand over their property to the Police. I do not know how

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people can carry on trade in firearms if they are called upon to hand over their wares and deposit them in the Police station. It means loss to them; of course they have to meet that loss.

“Then I wish to refer to the riots that have taken place in the districts. My hon. Friend, Mr. Muniswami Pillai, referred to the conflict recently between the Nadars and the Depressed Classes. I find, Sir, that the Police officers—not all of them, but some of them—take delight in creating communal disturbances. I hope the Government would tell their officers that it is not their business to set one community against another and create conflicts.

“I should like to say a word or two about the Police school. I have heard complaints from a large number of students of the school that the treatment meted out to them there is very harsh. There is no doubt that the young men who go to the Police school should be prepared to undergo very difficult training. But at the same time there must be a limit to that training. They cannot all of a sudden become completely fit for their duties. In course of time they will be quite prepared to take risks gradually. The moment you enter the school, if you are asked to ride a horse without saddle, you may find it very difficult. If you are not able to stand the test, you will be sent home. All this training should be given with a certain amount of humanity. The gentleman who is in charge of the Police Training school and who is training these young men is wanting in that sense of humanity.

“I find for some reason or other, it has not been possible for the authorities to bring a larger number of Muslims to the city. Of course there are two Inspectors of Police now in the city where there was only one for a long number of years. The Hon. the Home Member is a Muslim and he cannot be partial to members of his own community; he has not been partial to his community; but what we ask is real justice. I know that the Inspector-General of Police is really anxious that communal justice should be done to all the communities; for some reason or other the city has been reserved for a particular community; I do not know why it is so; I hope the Hon. the Home Member and the Inspector-General who is really a very sympathetic gentleman, will look into this question. I will conclude by requesting the Hon. the Home Member to kindly do his best.”

Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur:—“Sir, in rising to talk on this cut motion, it is not my object to pass any criticisms on the administration of Police during the year. The administration has been really so peaceful and successful that there is no criticism to be offered at all. I wish to take this opportunity of making a small suggestion in the matter of appointments in this department. First of all I would suggest that Indianization should be pushed forward in the higher offices of this department. The experiment of direct recruitment to the Deputy Superintendents' cadre was started more than twenty years ago and in the year 1924 when the Hon. Sir C. P. Ramaswami Ayyar was Home Member in charge of this portfolio

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gave an assurance to this House that he would appoint Indians to the higher offices. It is now ten years since that promise was made; as I have already said, it is twenty years since direct recruitment to the Deputy Superintendents' places was resorted to; now that we have many Indians of vast experience and recognized merit, I should think that the Government will find it easy to Indianize at least some of the Deputy Inspectors-General and the Personal Assistants. I find, Sir, that in other departments of Government service, almost all the Personal Assistants happen to be Indians and I do not see any reason why Indians should not be given chances in the Police department. The only objection that can be raised, so far as I can see, is the seniority rule. If the seniority rule is to be given effect to strictly, it will be possible for only the European members of the service to get into these higher posts; because the age for entry into this service is, as far as Europeans are concerned, only about 20 and so far as Indians are concerned, it is 25. Therefore it is almost impossible for any Indian to get into the higher offices by reason of his seniority alone. Therefore, I think, it is very necessary that some special reservation should be made for Indians in the higher ranks of this department.

"I wish to refer to one other matter, namely, the communal Government Orders. I do not see any reason why the communal Government Orders should not be given effect to in this department. I must point out that it is only in this department that the communal Government Orders should be given effect to strictly, because it is in this department that Non-Brahmans and minority communities have got real mettle to show and they have always been—wherever tried, found successful. So it is I say that we can find absolutely no reason why the communal Government Orders should not be applied to this department. It is my request that the Hon. the Home Member should be pleased to consider this point and do justice to all the communities in this department of public service.

"One word more, Sir, and that is with reference to the new experiment which the Hon. the Home Member is trying in the Trichinopoly district, viz., the opening of a special criminal branch. I think I must congratulate the Hon. the Home Member on trying this experiment, and I feel sure that it will prove a successful one and will in course of time be extended to the whole Province." 3-15 P.M.

* Mr. U. C. SUBRAHMANYA BHATT:—"Mr. President, Sir, in supporting the cut motion before the House, I would like to repeat what my hon. Friend, Mr. Khalif-ul-lah Sahib, stated, that is, that the Government have been very slow in the matter of the Indianization of the higher services of the Police department. There are, for instance, such posts as the Personal Assistant to the Inspector-General of Police, the post of Superintendent in charge of Criminal Investigation department, the several posts of Deputy Inspectors-General of Police, etc. These are posts to which Indians might be usefully appointed. If, for instance, the office of the Superintendent in charge of the Criminal

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Investigation Department is held by an Indian, he will be in closer touch with the Indians and thus be in a better position to detect crimes and guide the officers under him properly.

“I would like also to urge a more frequent transfer of the subordinate Police officials of the cadre of Sub-Inspectors and above from one district to another. It is quite patent that in almost all taluks and villages there are factions. If Police officials of the cadre of Sub-Inspectors or Inspectors are quartered in one district from the very beginning of their career, they get mixed up with one faction or other, so much so that it is absolutely impossible for them to sever themselves from those factions. Such being the case, a more constant transfer of these officials would be very advantageous and would very much minimize the consequences of the identification of these officials with particular factions or groups.

“I want next to refer to the question of amusement parks. I understand that recently the Government have passed a Government Order allowing amusement parks to be carried on without any molestation by the Police on the ground that in those amusement parks there are games of skill. My submission is that in these parks there is very little of skill in the games; they are all games of chance. I myself have been to some of these parks and I know personally what is going on there. For instance, on a certain table there, there are several coloured squares. Each man is asked to put an anna coin into one square or other, and one man turns the wheel. In whichever square the pointer stops, the man who put the coin into that square succeeds, while all the others lose. I do not understand where the element of skill comes in here. Therefore, Sir, a freer hand should be given to the Police to interfere with these amusements parks whenever they find gambling of this sort going on, rather than that Government should take the responsibility on their own shoulders.

“Then I desire to refer once again to the question of gun licences and their cancellation in our district. In reply to questions put by me, the Hon. the Home Member stated that as many as 278 gun licences were cancelled in the district of South Kanara recently, merely for the reason that the owners of the licences did not purchase ammunition within the course of year. Sir, before cancelling these gun licences, the owners were not asked to state whether they purchased any gun-powder during the year, whether they were using the gun or not, whether they got their powder from their friends or whether they imported gun-powder from any place. All of a sudden, behind their backs, the Collector of the district ordered their licences to be cancelled on the presumption that the guns were not used. In my opinion, Sir, this procedure is unjust and unfair. If the Collector acted on any supposition, he ought to have given an opportunity to the owners who have invested large sums of money on the purchase of the guns, to say whether they purchased ammunition in the year or not, and whether they did not use their guns or if there was an occasion to do so or not. In answer to my question as to whether any such opportunity

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was given, the Hon. the Home Member said that no such notice need be given under the Gun Licences Act. I may also say, Sir, that nowhere is it said in the Gun Licences Act that the mere fact of non-purchase of ammunition should be a sufficient reason for cancelling the licence. I would request the Hon. the Home Member to redress this grievance and instruct the Collector to issue notices to all the people whose licences have been cancelled and give them an opportunity of getting fresh licences.

“Lastly, Sir, I must thank the Hon. the Home Member and the Chief Secretary for the part they played in ordering an enquiry to be held into the several allegations which were made by me and the people of South Kanara into cases of Police excesses and illegalities committed during the days of civil disobedience and in accepting our version of the case against that of the Police in the district. As this is the last opportunity that we have of talking on the Police Demand while the Hon. the Home Member has that portfolio in his charge, I take this opportunity to thank him. In the past, even a few months ago, we criticized the Hon. the Home Member and the department which he is administering, because we felt that we had, in justice to our constituencies, to criticize him when we felt that his acts and that of his department merited criticism. Now all that is past, and though the action taken was a little belated and though it was not quite adequate to the gravity and seriousness of the offences committed by the Police, still, I thank him for what he has done for the district of South Kanara in general and to me in particular in this respect.”

* Mr. V. T. ARASU:—“Mr. President, Sir, the year that is now closing has been one of calm after a storm. No doubt, the Police force has had to go through a storm, as every hon. Member of this House knows, during the years 1930 and 1931. On account of the fact that they had to go through a storm, we were not very trenchant in our criticisms regarding the discipline that existed in the Police force. But now, Sir, that we are having a calm, it is time that the Government turned the searchlight inwards and remedied the defects in the system itself. It appears to me, reading the report of the Inspector-General of Police for the year 1932, that the discipline of the Police force has somewhat declined. In paragraph 5 of the report, he states that the percentage of officers and men punished for offences has been rising compared to the years 1930 and 1931, and that the percentage of punishments rose from 3.8 in 1931 to 4.0 in 1932. As regards punishments meted out by criminal courts to certain officers and ordinary members of the Police force, it appears that there was a slight increase. From these, it is evident that the morale of the Police force has been on the decline. Therefore, I submit it is high time that the Government had gone into the matter in detail and see that the morale of the Police force is improved to some extent.

“Certain hon. Members who spoke before me pointed out that there has been a decrease in the number of crimes in the Province as a whole; but my reading of the report of the Inspector-General of Police does

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not show any such thing. For I find that 'though the price of food-stuffs has gone down considerably and to-day the price of foodstuffs is very much lower than what it was before the year 1909 and before, yet the number of crimes has not diminished to any considerable extent' and in some cases it has even increased. At page 9 of the report, under 'thefts,' I find that in the year 1911 there were 15,160 cases of thefts while in the year 1932, there were 16,223 cases, i.e., there has been an increase of over 1,200 cases of thefts. But the Inspector-General says that with the fall in the price of foodstuffs, there has been a *decrease* in the number of crimes committed. It is strange, Sir, that on the other hand, there has been an increase in the number of crimes in the Province.

" My hon. Friend, Mr. Basu Dev, tried to explain away this state of affairs this morning in the course of his speech by saying that we are not able to attract the type of men that we ought to attract for our Police force. The hon. Member, coming as he does all the way from Vizagapatam to Madras, ought to have noted that the Police force has been attracting men of the right type for the past four or five years. He swore by his political Guru, Sir Charles Cunningham, and said that he was prepared to leave these matters into the hands of Sir Charles. I would only refer the hon. Member to the statement made by Sir Charles Cunningham himself in the report in regard to the recruits that the Police force has been able to attract during the past three or four years. In one of the paragraphs he has clearly stated that the right type of men are coming forward and that, even for constables' posts he had applications from graduates, Intermediates and S.S.L.C. men. This goes to show that it is not at all correct to say that the Police force is not attracting the right type of men.

" Mention was made this morning by certain hon. Members of the help rendered by the Police force to the zamindars in the matter of the collection of rents. Such instances have been brought to my notice—I am speaking particularly of the Tamil districts. I do not know whether it is the primary duty of the Police force to help the zamindars in the speedy collection of rents. I submit, Sir, it is not so. That ought not to be the function of the Police force. I know of several instances in the Trichinopoly district, especially in the Udaiyarpalayam zamindari, where the zamindar went about from village to village with a posse of armed reserved Policemen, with bayonets fixed, and coerced the villagers to pay down the rents. I would therefore suggest to the Hon. the Home Member to go into this question and see that the Police force is not converted into a force of tax-gatherers of the zamindars.

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" Sir, mention was also made by some hon. Members about gun licences issued and about the manner in which gun licences have been cancelled wholesale in certain parts of the Presidency. I would like to bring to the notice of the Hon. the Home Member also the fact that in the matter of the issue of licences for automatic pistols, the policy pursued by the Government appears to be quite strange. The Hon. the Home Member in reply to a question on the floor of this House the

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other day said that the policy of the Government in regard to this matter, namely, the cancellation of licences for automatic weapons, is that they are small and that they can easily be stolen away and therefore it is that they are cancelling licences for such weapons. I wonder if the Hon. the Home Member is aware of the fact that it is not in all cases that automatic weapons are smaller than revolvers. I can point out several revolvers which are not so and therefore the suggestion on the part of the Hon. the Home Member that the automatic pistols are smaller than revolvers and therefore they can easily be stolen away and on that basis they have come to the conclusion that licences should be cancelled, it is really strange. I would therefore request the Hon. the Home Member to reconsider this question and see if the licences in regard to these automatic pistols which were cancelled within the last four or five months are renewed."

* The Hon. Sir MAHOMED USMAN :—" Mr. President, Sir, the debate to-day took the form mainly of suggestions being made for the consideration of the Government. A number of suggestions have been made by the hon. Members, and it would not be possible for me to deal with all of them on account of the shortness of time, but I shall deal with some of the important suggestions that have been made by hon. Members of this House.

" My hon. Friend, Mr. Basu Dev, said that higher salaries should be given to Policemen in order to attract the right type of men. But I may say that at the present moment we are getting the right type of men and there is no necessity at all to give them increased salary. I find from the administration reports that I have received during the last two or three years from the Inspector-General of Police that we are actually getting the right sort of men. Another thing that he wanted was that we should apply the communal Government Order to the Police force. As I said once before, the policy of the Government in this department is that we do not apply the communal rule in regard to promotions, but communal considerations and communal rules are observed in recruiting men to the Police force. Promotions are made on considerations of merit and seniority. When we recruit people, we apply the communal rule in order to see that all the communities are properly represented in the Police force.

" My hon. Friend, Mr. Ramalingam Chettiyar, spoke about the number of murders committed in the Coimbatore district. Perhaps they are due to the fact that people there have more criminal propensities than people in other districts. (Laughter.) But, still, I shall go into the question and discuss it if necessary with the Inspector-General and see whether anything can be done to prevent these murders.

" As for the Police help in connexion with the processes issued by the courts, I understand that whenever Police help is required, it is given. If my hon. Friend brings to my notice any specific case in which there has been hardship felt, on account of the fact that the Police did not render assistance, I shall draw the attention of the Police authorities.

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"My hon. Friend then spoke of the Police station area and suggested that more Police stations should be brought into existence and that the area under the jurisdiction of a Police station should be made smaller. All that means that more money has to be spent, but at this time when we are financially not well off, I do not think that that suggestion can be taken into consideration at all.

"My hon. Friend, Mr. Shetty, spoke of raising the standard of recruitment and training. I may say, Sir, we have already prescribed certain qualifications for recruitment for various posts and I do not think anything further can be done. He also made a suggestion that the Sub-Inspectors appointed should all be graduates. I do not think it is possible for Government to accept such a suggestion. If we do so, communities educationally backward will greatly suffer. What about the depressed classes? How many graduates can they produce and how many of them can come forward as candidates for the posts of Sub-Inspectors? Therefore, the suggestion made by my hon. Friend, Mr. Shetty, is unthinkable. (Mr. A. B. Shetty: 'Graduates as far as possible.') There is no use of saying, as far as possible. I think the present policy of the Government is the best.

"As for the traffic control, I may say that Government themselves feel that more ought to be done in order to improve it, but unfortunately, on account of the financial stringency, we are not able to go forward with our schemes. The Inspector-General himself is aware that in many districts we have to improve our traffic control, but at the present moment, owing to the policy of retrenchment, Government could not consider his suggestions, but I can assure the hon. Members that when we come to better times, Government will not hesitate to consider the question of improving the traffic control throughout the whole province. As far as the City of Madras is concerned, we are appointing an Assistant Commissioner of Police in order to assist the Deputy Commissioner who is now in charge of traffic control.

"My hon. Friend, Mr. Shetty, also made suggestions for increasing the expenditure of the Police department by introducing various reforms and said that we could meet the increased expenditure by abolishing the Malabar Special Police Force and also by the abolition of the posts of Deputy Inspectors-General of Police. Sir, it is not possible at all for Government to consider the question of abolishing the Malabar Special Police Force. Hon. Members know the history of the genesis of the Malabar Special Police force which has contributed greatly to the peace of the district, I do not think Government will ever abolish it.

"As for the abolition of the posts of Deputy Inspectors-General, I wish to tell hon. Members that they are entrusted with great deal of work. In the interests of efficiency, it is not possible to abolish the Deputy Inspectors-General's posts. They do very useful work. They inspect, hear appeals and co-ordinate the work of District Superintendents of Police.

"My hon. Friend, Mr. Sami Venkatachalam Chetti, wanted that the Police should cultivate the spirit of serving the citizens. I may

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say that there is no question about it. The Police exist for the people and one of the things that they should do according the Police rules is that they should cultivate the spirit of service and I have so far heard no complaints from the public that the Police are not doing their duty in this respect. I may, however, assure my hon. Friend, Mr. Sami Venkatachalam Chetti, that it is the duty of the Police to serve the people and they are really serving the people properly.

“ Again, Sir, it was said that we have been appointing additional Police in order to assist the zamindars in the matter of collecting their rents. No such thing has been done and no additional Police has been appointed for that purpose. My hon. Friend, Mr. Sami Venkatachalam Chetti, also brought to the notice of Government certain cases of suicides committed by prisoners on remand. I find, Sir, the number of suicides of undertrials in jails was 3 in 1930, 1 in 1931 and 1 in 1932 and there were no suicides in 1933, and only 1 in 1934; and none of these were due to ill-treatment by the Police or Jail officials. In all cases enquiries were held by Magistrates. Anyhow, I am making further enquiries in the matter.

“ My hon. Friend also stated that ever since the Police department has been under my charge, or in recent years, there has been an increase of expenditure. The following figures will, I am sure, explain the position :—

	Expenditure.
	RS.
In 1930-31 (actuals)	1,79,45,532
In 1931-32 (actuals)	1,59,94,089
In 1932-33 (actuals)	1,52,60,453
In 1933-34 Budget Estimate	1,52,72,800
In 1933-34 Revised Estimate	1,52,40,900
In 1934-35 Budget Estimate	1,52,94,100

The slight increase in the Budget Estimate for 1934-35 is due to certain new schemes which Government have found it necessary to provide for in the interests of efficiency. The schemes referred to are, (1) the appointment of an Assistant Commissioner of Police to assist the Deputy Commissioner of Police (Traffic and Licensing); (2) strengthening the Armed Reserve in the North Madura district; (3) appointment of six sub-inspectors and three constables to supply the deficiency in the vacancy reserve; (4) opening of an out-post at Thiruvokolam in the University town of Annamalainagar; and (5) reorganization of the Trichinopoly Town Police. On account of all these schemes there has been a slight increase. It is not therefore true to say that we have been going on increasing the expenditure in the Police department.

“ As for the gun licences, I have already answered one or two questions on the floor of this House. I will certainly go into the question as desired by my hon. Friend, Mr. Bhatt, but it is open to people whose licences have been refused or cancelled to appeal to Government.

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“ Then, Sir, my hon. Friend, Mr. Muniswami Pillai, wanted that the Depressed Classes should be employed in larger numbers in the Police department. With reference to that, I may say, that I have already drawn the attention of the Inspector-General of Police to this aspect of the case and I am glad to say that the policy of the Police department has been to employ in larger numbers, members coming from the Depressed Classes.

“ As for the communal trouble that he referred to, all that I can say is, that it is rather unfortunate that there should have been such communal trouble, but the Police are doing their very best to prevent them. As for the charge that the Police are taking sides, I do not believe it. Anyhow, I shall draw the attention of the Inspector-General of Police to the remark made by my hon. Friend.

“ My hon. Friend, Mr. Natesa Mudaliyar, said that we should give instruction to the Police force to cultivate the spirit of service to the people. I may assure my hon. Friend that in the Police Recruits school, at Vellore, recruits are given a good training, the object of which is to serve the people.

“ Then, Sir, my hon. Friend, Mr. Hameed Khan, drew my attention to the traffic rules. Now and then Government revise the traffic rules and when any important rule is revised, I shall bear in mind the suggestion made by the hon. Member that we should consult his association. He has also made many suggestions regarding the motor traffic rules. I shall see what I can do in the matter.

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P.m.

“ With regard to the amusement parks, I think a question was put and I said in reply to that question that the Government would consider the question and take necessary action. Orders were passed to close down such parks. After the issue of those orders it was brought to our notice that on account of the action taken by the Government without any notice, some of the shows had incurred heavy financial loss. Therefore we gave the Commissioner of Police discretion to extend the period in special cases. But at the same time we have made it clear that the element of gambling should be eliminated. A report has been called for in this connexion and when that report comes, I shall go through it and see what could be done to eradicate the evil. I do not think there is any other matter about which I should like to speak. (Voices: ‘ Indianization? ’)

“ As for Indianization, Sir, the policy of the Government is to make no distinction at all. My hon. Friend referred to the posts of the Deputy Inspector-General and one or two other posts. Once again I may say appointments are made on considerations of merit and seniority. (A voice: ‘ Indians have to retire before they rise to higher places.’) No such thing. (Rao Bahadur T. A. Ramalingam Chettiyar: ‘ is there anybody who can rise to the Deputy Inspector-General of Police before 55? What is the answer please? ’) If there is any vacancy in any post and if an Indian is qualified according to the tests I have mentioned, namely, seniority and merit, he will certainly be

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appointed. I am very glad, Sir, that the Police force to-day, as I have said on a former occasion, is in the most efficient condition inspite of retrenchment.

“ Before I resume my seat I should like to thank the hon. Members for the cordial manner in which they have referred to my work in this Council. I may say that for the past two or three years when the civil disobedience movement was going on, it was my duty here to defend the action of the Police. I did it simply because I thought the Police were in the right. I am very glad that the hon. Members have realized that I have done my duty and have offered to me thanks and congratulations. I thank them all once again.”

* Mr. C. BASU DEV:—“ Sir, in these days of depression and competition, Government evidently are not experiencing any dearth of proper candidates for service in the Police department. This, therefore, does not seem to be the proper time to urge on the attention of the Government the need for better terms of employment. With regard to the remarks of some of my hon. Friends there seems to be an impression in the House and outside that the Police is an institution to protect property and zamindars and that they do nothing more. Let me assure my friends here and outside that the Police not only protect property but also person. Adequate Police force is a very great necessity. With these words, I beg leave of the House to withdraw my motion.”

* Mr. V. T. ARASU:—“ Are we hearing a second speech? Or are we hearing a reply? ”

* The Hon. the PRESIDENT:—“ We are hearing a reply.”

The cut motion was, by leave, withdrawn.

The Demand was put and carried, and the Grant was made.

The House then rose for the day to meet again at 11 a.m. the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.